



**Minnesota Pollution
Control Agency**

520 Lafayette Road North
St. Paul, MN 55155-4194

MS4 SWPPP Application for Reauthorization

for the NPDES/SDS General Small Municipal Separate
Storm Sewer System (MS4) Permit MNR040000
reissued with an effective date of August 1, 2013
Stormwater Pollution Prevention Program (SWPPP) Document

Doc Type: Permit Application

Instructions: This application is for authorization to discharge stormwater associated with Municipal Separate Storm Sewer Systems (MS4s) under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit Program. **No fee** is required with the submittal of this application. Please refer to "Example" for detailed instructions found on the Minnesota Pollution Control Agency (MPCA) MS4 website at <http://www.pca.state.mn.us/ms4>.

Submittal: This MS4 SWPPP Application for Reauthorization form must be submitted electronically via e-mail to the MPCA at ms4permitprogram.pca@state.mn.us from the person that is duly authorized to certify this form. All questions with an asterisk (*) are required fields. All applications will be returned if required fields are not completed.

Questions: Contact Claudia Hochstein at 651-757-2881 or claudia.hochstein@state.mn.us, Dan Miller at 651-757-2246 or daniel.miller@state.mn.us, or call toll-free at 800-657-3864.

General Contact Information (*Required fields)

MS4 Owner (with ownership or operational responsibility, or control of the MS4)

*MS4 permittee name: City of Maple Plain *County: Hennepin
(city, county, municipality, government agency or other entity)

*Mailing address: P.O. Box 97

*City: Maple Plain *State: MN *Zip code: 55359

*Phone (including area code): (763) 479-0515 *E-mail: mericson@mapleplain.com

MS4 General contact (with Stormwater Pollution Prevention Program [SWPPP] implementation responsibility)

*Last name: Ericson *First name: Mike
(department head, MS4 coordinator, consultant, etc.)

*Title: Interim City Administrator

*Mailing address: P.O. Box 97

*City: Maple Plain *State: MN *Zip code: 55359

*Phone (including area code): (763) 479-0515 *E-mail: mericson@mapleplain.com

Preparer information (complete if SWPPP application is prepared by a party other than MS4 General contact)

Last name: Schleeter First name: Brad
(department head, MS4 coordinator, consultant, etc.)

Title: Project Manager

Mailing address: Stantec Consulting - 2335 West Highway 36

City: St. Paul State: MN Zip code: 55113

Phone (including area code): (651) 604-4801 E-mail: brad.schleeter@stantec.com

Verification

1. I seek to continue discharging stormwater associated with a small MS4 after the effective date of this Permit, and shall submit this MS4 SWPPP Application for Reauthorization form, in accordance with the schedule in Appendix A, Table 1, with the SWPPP document completed in accordance with the Permit (Part II.D.). ☒ Yes
2. I have read and understand the NPDES/SDS MS4 General Permit and certify that we intend to comply with all requirements of the Permit. ☒ Yes

Certification (All fields are required)

- ☒ Yes - I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted.

I certify that based on my inquiry of the person, or persons, who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of civil and criminal penalties.

This certification is required by Minn. Stat. §§ 7001.0070 and 7001.0540. The authorized person with overall, MS4 legal responsibility must certify the application (principal executive officer or a ranking elected official).

By typing my name in the following box, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing my application.

Name: Michael A. Ericson

(This document has been electronically signed)

Title: Interim City Administrator

Date (mm/dd/yyyy): November 22, 2013

Mailing address: 1620 Maple Avenue

City: Maple Plain

State: MN

Zip code: 55359

Phone (including area code): 763-479-0515

E-mail: mericson@mapleplain.com

Note: The application will not be
processed without certification.

Stormwater Pollution Prevention Program Document

I. Partnerships: (Part II.D.1)

- A. List the **regulated small MS4(s)** with which you have established a partnership in order to satisfy one or more requirements of this Permit. Indicate which Minimum Control Measure (MCM) requirements or other program components that each partnership helps to accomplish (List all that apply). Check the box below if you currently have no established partnerships with other regulated MS4s. If you have more than five partnerships, hit the tab key after the last line to generate a new row.

☐ No partnerships with regulated small MS4s

Name and description of partnership	MCM/Other permit requirements involved
Minnehaha Creek Watershed District City coordinates plan review activities with the District	MCM 5
City of Orono City partners with the City of Orono for use of Orono's vacuum truck for Maple Plain maintenance activities	MCM 6
City of Independence City partners with the City of Independence to hold an annual household clean-up day	MCM 2

- B. If you have additional information that you would like to communicate about your partnerships with other regulated small MS4(s), provide it in the space below, or include an attachment to the SWPPP Document, with the following file naming convention: *MS4NameHere_Partnerships*.

As with the Minnehaha Creek Watershed District, we coordinate our plan review activities with the Pioneer Sarah Creek Watershed Management Commission, as necessary. This coordination partnership would apply to MCM 5.

II. Description of Regulatory Mechanisms: (Part II.D.2)

Illicit discharges

- A. Do you have a regulatory mechanism(s) that effectively prohibits non-stormwater discharges into your small MS4, except those non-stormwater discharges authorized under the Permit (Part III.D.3.b.)? ☒ Yes ☐ No

1. If **yes**:

- a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

☒ Ordinance ☐ Contract language
☒ Policy/Standards ☐ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Illicit Discharges and Connections Ordinance (see attached)*

- *Local Surface Water Management Plan Section 6.5.1: Pollution Prevention (see attached)*

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_IDDEreg*.

2. If **no**:

Describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

Construction site stormwater runoff control

- A. Do you have a regulatory mechanism(s) that establishes requirements for erosion and sediment controls and waste controls? ☒ Yes ☐ No

1. If **yes**:

- a. Check which type of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☒ Policy/Standards ☒ Permits
☐ Rules
☐ Other, explain: _____

- b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Regulations Regarding Erosion Control for Construction Site Runoff Ordinance (see attached)*
- *Local Surface Water Management Plan Section 6.2.5: Erosion and Sediment Control (see attached)*
- *Excavation and Grading Permit and Right of Way Permit Applications (see attached)*

Direct link:

- ☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_CSWreg*.

- B. Is your regulatory mechanism at least as stringent as the MPCA general permit to Discharge Stormwater Associated with Construction Activity (as of the effective date of the MS4 Permit)? ☐ Yes ☒ No

If you answered **yes** to the above question, proceed to C.

If you answered **no** to either of the above permit requirements listed in A. or B., describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

B: We will update our Construction Site Stormwater Runoff Control regulatory mechanisms to include language about proper documentation requirements and make specific reference to the requirements in the new Construction Stormwater Permit. We will use the Construction Site Stormwater Runoff Control guidance documents provided by the MPCA to review the City's existing regulatory mechanisms to identify any deficiencies with the Construction Stormwater Permit. We will complete this review and subsequent updates to our regulatory mechanisms within 12 months of the date permit coverage is extended.

- C. Answer **yes** or **no** to indicate whether your regulatory mechanism(s) requires owners and operators of construction activity to develop site plans that incorporate the following erosion and sediment controls and waste controls as described in the Permit (Part III.D.4.a.(1)-(8)), and as listed below:

- | | |
|--|---|
| 1. Best Management Practices (BMPs) to minimize erosion. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. BMPs to minimize the discharge of sediment and other pollutants. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. BMPs for dewatering activities. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Site inspections and records of rainfall events | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. BMP maintenance | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 6. Management of solid and hazardous wastes on each project site. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 7. Final stabilization upon the completion of construction activity, including the use of perennial vegetative cover on all exposed soils or other equivalent means. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 8. Criteria for the use of temporary sediment basins. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

Post-construction stormwater management

A. Do you have a regulatory mechanism(s) to address post-construction stormwater management activities?

☒ Yes ☐ No

1. If **yes**:

a. Check which *type* of regulatory mechanism(s) your organization has (check all that apply):

- ☒ Ordinance ☐ Contract language
☒ Policy/Standards ☒ Permits
☐ Rules
☐ Other, explain: _____

b. Provide either a direct link to the mechanism selected above or attach it as an electronic document to this form; or if your regulatory mechanism is either an Ordinance or a Rule, you may provide a citation:

Citation:

- *Site Plan Review Ordinance (see attached)*

- *Local Surface Water Management Plan Section 6.2.1: Runoff Rate, Section 6.2.2: Flood Prevention, Section 6.2.3: Runoff Volume, Section 6.2.4: Nutrient and Sediment Loading (see attached)*

- *Excavation and Grading Permit and Right of Way Permit Applications (see attached)*

Direct link:

☒ Check here if attaching an electronic copy of your regulatory mechanism, with the following file naming convention: *MS4NameHere_PostCSWreg*.

B. Answer **yes** or **no** below to indicate whether you have a regulatory mechanism(s) in place that meets the following requirements as described in the Permit (Part III.D.5.a.):

1. **Site plan review:** Requirements that owners and/or operators of construction activity submit site plans with post-construction stormwater management BMPs to the permittee for review and approval, prior to start of construction activity. ☒ Yes ☐ No
2. **Conditions for post construction stormwater management:** Requires the use of any combination of BMPs, with highest preference given to Green Infrastructure techniques and practices (e.g., infiltration, evapotranspiration, reuse/harvesting, conservation design, urban forestry, green roofs, etc.), necessary to meet the following conditions on the site of a construction activity to the Maximum Extent Practicable (MEP):
 - a. For new development projects – no net increase from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of Total Suspended Solids (TSS).
 - 3) Stormwater discharges of Total Phosphorus (TP).
 - b. For redevelopment projects – a net reduction from pre-project conditions (on an annual average basis) of: ☐ Yes ☒ No
 - 1) Stormwater discharge volume, unless precluded by the stormwater management limitations in the Permit (Part III.D.5.a(3)(a)).
 - 2) Stormwater discharges of TSS.
 - 3) Stormwater discharges of TP.
3. **Stormwater management limitations and exceptions:**
 - a. Limitations ☐ Yes ☒ No
 - 1) Prohibit the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) when the infiltration structural stormwater BMP will receive discharges from, or be constructed in areas:
 - a) Where industrial facilities are not authorized to infiltrate industrial stormwater under an NPDES/SDS Industrial Stormwater Permit issued by the MPCA.
 - b) Where vehicle fueling and maintenance occur.
 - c) With less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock.
 - d) Where high levels of contaminants in soil or groundwater will be mobilized by the infiltrating stormwater.

- 2) Restrict the use of infiltration techniques to achieve the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), without higher engineering review, sufficient to provide a functioning treatment system and prevent adverse impacts to groundwater, when the infiltration device will be constructed in areas:
- a) With predominately Hydrologic Soil Group D (clay) soils.
 - b) Within 1,000 feet up-gradient, or 100 feet down-gradient of active karst features.
 - c) Within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13.
 - d) Where soil infiltration rates are more than 8.3 inches per hour.
- 3) For linear projects where the lack of right-of-way precludes the installation of volume control practices that meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)), the permittee's regulatory mechanism(s) may allow exceptions as described in the Permit (Part III.D.5.a(3)(b)). The permittee's regulatory mechanism(s) shall ensure that a reasonable attempt be made to obtain right-of-way during the project planning process.
4. **Mitigation provisions:** The permittee's regulatory mechanism(s) shall ensure that any stormwater discharges of TSS and/or TP not addressed on the site of the original construction activity are addressed through mitigation and, at a minimum, shall ensure the following requirements are met:
- a. Mitigation project areas are selected in the following order of preference:
 - 1) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
 - 2) Locations within the same Minnesota Department of Natural Resource (DNR) catchment area as the original construction activity.
 - 3) Locations in the next adjacent DNR catchment area up-stream
 - 4) Locations anywhere within the permittee's jurisdiction.
 - b. Mitigation projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
 - c. Routine maintenance of structural stormwater BMPs already required by this permit cannot be used to meet mitigation requirements of this part.
 - d. Mitigation projects shall be completed within 24 months after the start of the original construction activity.
 - e. The permittee shall determine, and document, who will be responsible for long-term maintenance on all mitigation projects of this part.
 - f. If the permittee receives payment from the owner and/or operator of a construction activity for mitigation purposes in lieu of the owner or operator of that construction activity meeting the conditions for post-construction stormwater management in Part III.D.5.a(2), the permittee shall apply any such payment received to a public stormwater project, and all projects must be in compliance with Part III.D.5.a(4)(a)-(e).
5. **Long-term maintenance of structural stormwater BMPs:** The permittee's regulatory mechanism(s) shall provide for the establishment of legal mechanisms between the permittee and owners or operators responsible for the long-term maintenance of structural stormwater BMPs not owned or operated by the permittee, that have been implemented to meet the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)). This only includes structural stormwater BMPs constructed after the effective date of this permit and that are directly connected to the permittee's MS4, and that are in the permittee's jurisdiction. The legal mechanism shall include provisions that, at a minimum:
- a. Allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines that the owner and/or operator of that structural stormwater BMP has not conducted maintenance.
 - b. Include conditions that are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party.
 - c. Include conditions that are designed to protect/preserve structural stormwater BMPs and site features that are implemented to comply with the Permit (Part III.D.5.a(2)). If site configurations or structural stormwater BMPs change, causing decreased structural stormwater BMP effectiveness, new or improved structural stormwater BMPs must be implemented to ensure the conditions for post-construction stormwater management in the Permit (Part III.D.5.a(2)) continue to be met.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within twelve (12) months of the date permit coverage is extended, these permit requirements are met:

B.2 - B.5: We will update the City's Code of Ordinances to adopt by reference the sections in the City's currently adopted Local Surface Water Management Plan that specifically address B.2 - B.5. This will create a direct tie from the City's Code of Ordinances to the regulatory mechanisms (City policies and standards found in the Local Surface Water Management Plan) that address the post-construction stormwater management requirements in B.2 to B.5.

B.2.a-b: Section 6.2.3 in the City's Local Surface Water Management Plan identifies a goal to "reduce runoff volume discharged from land development and redevelopment projects to be less than or equal to existing conditions". Section 6.2.4 in the City's Local Surface Water Management Plan identifies a goal to "reduce runoff nutrient and sediment loads from city projects, land development and redevelopment projects to be 10% less than current conditions". City Policies under these goals will be developed that meet the requirements of B.2.a and B.2.b.

B.3.a.(1)-(2): Section 6.2.3 in the City's Local Surface Water Management Plan does include limitations and exceptions where infiltration techniques are prohibited. This section will be updated to include the entire list of prohibitions and restrictions in B.3.a.(1)-(2).

B.3.a.(3): We will update Section 6.2 in the City's Local Surface Water Management Plan to include a policy that specifically addresses the linear project requirements in B.3.a.(3).

B.4.a-f: We will develop a City Policy in the City's Local Surface Water Management Plan for offsite stormwater mitigation that meets the requirements in B.4.

B.5.a-c: We will develop a City Policy in the City's Local Surface Water Management Plan that will address long-term maintenance of structural stormwater BMPs not owned or operated by the City that meets the requirements in B.5.

All of the actions identified above will be completed within 12 months of the date permit coverage is extended.

III. Enforcement Response Procedures (ERPs): (Part II.D.3)

A. Do you have existing ERPs that satisfy the requirements of the Permit (Part III.B.)?

☐ Yes ☒ No

1. If **yes**, attach them to this form as an electronic document, with the following file naming convention: *MS4NameHere_ERPs*.

2. If **no**, describe the tasks and corresponding schedules that will be taken to assure that, with twelve (12) months of the date permit coverage is extended, these permit requirements are met:

We will amend Section 50.32 in the City's Illicit Discharges and Connections ordinance to include all of the ERP documentation requirements in Part III.B.2 of the MS4 Permit.

We will amend the City's Erosion Control for Construction Site Runoff ordinance to include the ERP documentation requirements in Part III.B.2 of the MS4 Permit.

We will develop a policy in the City's Local Surface Water Management Plan that identifies Enforcement Response Procedures for Post-Construction Stormwater Management, including the documentation requirements as identified in Part III.B.2 of the MS4 Permit.

All of the actions identified above will be completed within 12 months of the date permit coverage is extended.

B. Describe your ERPs:

In Section 50.32 of the City's Illicit Discharges and Connections ordinance, the following enforcement actions are available to the City:

(1) The performance of monitoring, analysis, and reporting;

(2) The elimination of illicit connections or discharges;

(3) That violating discharges, practices, or operations shall cease and desist;

(4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

(5) Payment of a fine to cover administrative and remediation costs; and

(6) The implementation of source control or treatment BMPs.

In Section 50.110 of the City's Erosion Control for Construction Site Runoff ordinance, the following enforcement procedures are available to the City:

(1) Right of entry

(2) Warning letter

(3) Action against the financial security

(4) Emergency action

IV. Storm Sewer System Map and Inventory: (Part II.D.4.)

A. Describe how you manage your storm sewer system map and inventory:

We periodically review our Stormwater System Map and add new infrastructure from past projects. Based on the requirements of the MS4 permit, we need to add additional information to this map.

B. Answer **yes** or **no** to indicate whether your storm sewer system map addresses the following requirements from the Permit (Part III.C.1.a-d), as listed below:

1. The permittee's entire small MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes. ☐ Yes ☒ No
2. Outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinate. ☐ Yes ☒ No
3. Structural stormwater BMPs that are part of the permittee's small MS4. ☐ Yes ☒ No
4. All receiving waters. ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

B.1: Our Stormwater System Map includes all pipes 12-inches or greater, however, we need to add flow arrows.

B.2: Outfalls need to be identified on this map, along with a unique ID for each.

B.3: There are a handful of structural stormwater BMPs that do not yet appear on this map and will be added.

These tasks will be completed within 12 months of the date permit coverage is extended.

C. Answer **yes** or **no** to indicate whether you have completed the requirements of 2009 Minnesota Session Law, Ch. 172, Sec. 28: with the following inventories, according to the specifications of the Permit (Part III.C.2.a.-b.), including:

1. All ponds within the permittee's jurisdiction that are constructed and operated for purposes of water quality treatment, stormwater detention, and flood control, and that are used for the collection of stormwater via constructed conveyances. ☒ Yes ☐ No
2. All wetlands and lakes, within the permittee's jurisdiction, that collect stormwater via constructed conveyances. ☒ Yes ☐ No

D. Answer **yes** or **no** to indicate whether you have completed the following information for each feature inventoried.

1. A unique identification (ID) number assigned by the permittee. ☒ Yes ☐ No
2. A geographic coordinate. ☐ Yes ☒ No
3. Type of feature (e.g., pond, wetland, or lake). This may be determined by using best professional judgment. ☒ Yes ☐ No

If you have answered **yes** to all above requirements, and you have already submitted the Pond Inventory Form to the MPCA, then you do not need to resubmit the inventory form below.

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

We are responsibly for maintaining one stormwater pond in the City, which is located at the new Park and Ride facility. However, the maintenance responsibility will ultimately be turned over to the Metropolitan Council once bus service begins at the Park and Ride facility.

D.2: We need to assign geographic coordinates to all the inventoried features. Once we confirm that all features have been identified and inventoried, we will complete the MPCA inventory form and submit this form within 12 months of the date permit coverage is extended.

E. Answer **yes** or **no** to indicate if you are attaching your pond, wetland and lake inventory to the MPCA on the form provided on the MPCA website at: <http://www.pca.state.mn.us/ms4>, according to the specifications of Permit (Part III.C.2.b.(1)-(3)). Attach with the following file naming convention: *MS4NameHere_inventory*. ☐ Yes ☒ No

If you answered **no**, the inventory form must be submitted to the MPCA MS4 Permit Program within 12 months of the date permit coverage is extended.

V. Minimum Control Measures (MCMs) (Part II.D.5)

A. MCM1: Public education and outreach

1. The Permit requires that, within 12 months of the date permit coverage is extended, existing permittees revise their education and outreach program that focuses on illicit discharge recognition and reporting, as well as other specifically selected stormwater-related issue(s) of high priority to the permittee during this permit term. Describe your **current** educational program, including **any high-priority topics included**:

Our public education and outreach program includes the following:

- Stormwater related article(s) and information included in the quarterly City newsletter
- Brochures available at the information kiosk in City Hall covering: lawn fertilizer, proper disposal of grass clippings and leaves, rain gardens, watershed permits, and hazardous lead exposure
- Ongoing solicitation for stormwater related material from outside entities, including the Pioneer-Sarah Creek Watershed Management Commission and the Minnehaha Creek Watershed District. The materials received from these entities are posted in the City's information kiosk

Most of our educational materials are directed at residential property owners. However, we have not actively identified and targeted high-priority topics to date.

2. List the categories of BMPs that address your public education and outreach program, including the distribution of educational materials and a program implementation plan. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the U.S. Environmental Protection Agency's (EPA) *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Stormwater related article(s)	Continue to include 1 stormwater related article in the quarterly City newsletter circulated to an audience of about 2000
Brochures	At all times make at least 5 stormwater related brochures available to public from the City's information kiosk.
Public notice for annual stormwater meeting	Continue to publicly notice the annual stormwater meeting at least 30 days prior to the meeting in the local newspaper "The Pioneer", on the City's website, and posted at City Hall
BMP categories to be implemented	Measurable goals and timeframes
Stormwater webpage	Provide links to access stormwater related information from outside entities. Post the City's MS4 Permit Application and SWPPP Document, and Local Surface Water Management Plan. Provide information on illicit discharges and how to contact the City to report an illicit discharge. This action will be completed within 12 months of the date permit coverage is extended.
Stormwater presentation	Partner with the Minnehaha Creek Watershed District to provide at least 2 stormwater related presentations at a City function within the permit term.
Stormwater related survey	Once within the permit term, we will distribute a stormwater related survey to a random sample of mailings to gauge household practices, interest and understanding of stormwater related matters, and use of local water resources.

3. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Administrator

B. MCM2: Public participation and involvement

1. The Permit (Part III.D.2.a.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement a public participation/involvement program to solicit public input on the SWPPP. Describe your current program:

We hold an annual public meeting at City Hall to discuss our SWPPP. In partnership with the City of Independence, we sponsor an annual household cleanup day. We have a public complaint phone number, and any complaints received with be directed to the appropriate public works staff member. The City sponsors a farmer's market in downtown that includes presentations on raingarden installation, recycling, or other environmental issues.

2. List the categories of BMPs that address your public participation/involvement program, including solicitation and documentation of public input on the SWPPP. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Public meeting	Hold annual meeting each year of the permit term to discuss the City's SWPPP and take written or oral comments on the SWPPP from the public. A notice for this meeting is posted in the local newspaper "The Pioneer", on the City's website, and posted at City Hall
Household cleanup day	In partnership with the City of Independence, continue to promote a spring cleanup day for residents to dispose of unwanted material
Public complaint hotline	Continue the ongoing availability of a public complaint hotline for stormwater related complaints
BMP categories to be implemented	Measurable goals and timeframes
SWPPP availability	Post the City's MS4 Permit Application and SWPPP Document on the City's stormwater webpage. This action will be completed within 12 months of the date permit coverage is extended.
Community volunteer events	Recruit community volunteers (both youth and adults) to perform at least 2 stormwater related projects within the permit term. These activities could include marking selected City catch basins with a message that connects the drains to local water resources, trash clean-up, or rain garden maintenance activities

3. Do you have a process for receiving and documenting citizen input? ☒ Yes ☐ No

If you answered **no** to the above permit requirement, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Administrator

C. MCM 3: Illicit discharge detection and elimination

1. The Permit (Part III.D.3.) requires that, within 12 months of the date permit coverage is extended, existing permittees revise their current program as necessary, and continue to implement and enforce a program to detect and eliminate illicit discharges into the small MS4. Describe your current program:

We have an Illicit Discharges and Connections ordinance that regulates non-storm water discharges to the City's MS4. This ordinance also identifies the enforcement procedures once an illicit discharge is identified. Public works staff are

trained to inspect illicit discharges during dry weather conditions. The fire department staff are HazMat trained and are responsible for responding to larger spills in the City.

2. Does your Illicit Discharge Detection and Elimination Program meet the following requirements, as found in the Permit (Part III.D.3.c.-g.)?
- a. Incorporation of illicit discharge detection into all inspection and maintenance activities conducted under the Permit (Part III.D.6.e.-f.) Where feasible, illicit discharge inspections shall be conducted during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). ☒ Yes ☐ No
 - b. Detecting and tracking the source of illicit discharges using visual inspections. The permittee may also include use of mobile cameras, collecting and analyzing water samples, and/or other detailed procedures that may be effective investigative tools. ☒ Yes ☐ No
 - c. Training of all field staff, in accordance with the requirements of the Permit (Part III.D.6.g.(2)), in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. ☒ Yes ☐ No
 - d. Identification of priority areas likely to have illicit discharges, including at a minimum, evaluating land use associated with business/industrial activities, areas where illicit discharges have been identified in the past, and areas with storage of large quantities of significant materials that could result in an illicit discharge. ☐ Yes ☒ No
 - e. Procedures for the timely response to known, suspected, and reported illicit discharges. ☒ Yes ☐ No
 - f. Procedures for investigating, locating, and eliminating the source of illicit discharges. ☒ Yes ☐ No
 - g. Procedures for responding to spills, including emergency response procedures to prevent spills from entering the small MS4. The procedures shall also include the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. § 115.061. ☐ Yes ☒ No
 - h. When the source of the illicit discharge is found, the permittee shall use the ERPs required by the Permit (Part III.B.) to eliminate the illicit discharge and require any needed corrective action(s). ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

C.2.d: We will update our Illicit Discharge Detection and Elimination Program to identify priority areas likely to have illicit discharges. This identification process will evaluate land use, past illicit discharges, and areas storing large quantities of materials that could results in an illicit discharge.

C.2.g: In our spill response procedures, we will add the immediate notification of the Minnesota Department of Public Safety Duty Officer, if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. 115.061.

As noted in Section III.A.2. above, we will add the documentation requirements to our existing reporting requirements for illicit discharges.

All of these actions will be completed within 12 months of the date permit coverage is extended.

3. List the categories of BMPs that address your illicit discharge, detection and elimination program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Stormwater System Map	Annually review our stormwater system map to determine if map updates are necessary.
Ordinance	Continue to enforce existing Illicit Discharges and Connections Ordinance
Inspections	Continue to inspect MS4 outfalls at least once during the permit term for illicit discharges
Training	Maintain adequate training of public works and fire department staff for the detection and handling of illicit discharges and spill response
Sanitary sewer overflow program	Annually report on the length of sanitary sewer maintained or

	upgraded, and the number of sanitary sewer overflow complaints
BMP categories to be implemented	Measurable goals and timeframes
Illicit discharge information	Include illicit discharge information on the City's stormwater webpage, including a phone number to report illicit discharges. This action will be completed within 12 months of the date permit coverage is extended.
Potential Illicit Discharge Prioritization Map	Create a map identifying priority areas and outfalls in these areas to be inspected more frequently. This action will be completed within 12 months of the date permit coverage is extended.
Inspections	Any outfalls identified as a high priority risk for having an illicit discharge will be inspected annually. This action will begin once a prioritization map is completed, which will be within 12 months of the date permit coverage is extended.
Documentation	Develop a standard form that meets the documentation requirements in the MS4 Permit, which will be used to track all illicit discharges. We will report on all illicit discharge reports at the annual public meeting. This action will be completed within 12 months of the date permit coverage is extended.

4. Do you have procedures for record-keeping within your Illicit Discharge Detection and Elimination (IDDE) program as specified within the Permit (Part III.D.3.h.)? ☐ Yes ☒ No

If you answered **no**, indicate how you will develop procedures for record-keeping of your Illicit Discharge, Detection and Elimination Program, within 12 months of the date permit coverage is extended:

We will update our Illicit Discharge Detection and Elimination Program to include the documentation requirements identified in the MS4 Permit Part III.D.3.h. within 12 months of the date permit coverage is extended.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Administrator

D. MCM 4: Construction site stormwater runoff control

1. The Permit (Part III.D.4) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a construction site stormwater runoff control program. Describe your current program:

We have an Erosion Control for Construction Site Runoff Ordinance that regulates land disturbing activities in Maple Plain. This ordinance outlines proper project submittal procedures, a Stormwater Pollution Prevention Plan review process, minimum construction BMPs, and enforcement procedures. In addition, the City's Site Plan Review Ordinance outlines a formal site plan review procedure. The City requires that an Excavation and Grading Permit or Right of Way Permit be obtained for any land disturbing activity in the City. Public works staff have been properly trained and conduct construction site ESC inspections.

2. Does your program address the following BMPs for construction stormwater erosion and sediment control as required in the Permit (Part III.D.4.b.):

- a. Have you established written procedures for site plan reviews that you conduct prior to the start of construction activity? ☒ Yes ☐ No
- b. Does the site plan review procedure include notification to owners and operators proposing construction activity that they need to apply for and obtain coverage under the MPCA's general permit to *Discharge Stormwater Associated with Construction Activity No. MN R100001*? ☒ Yes ☐ No
- c. Does your program include written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee? ☒ Yes ☐ No
- d. Have you included written procedures for the following aspects of site inspections to determine compliance with your regulatory mechanism(s):
 - 1) Does your program include procedures for identifying priority sites for inspection? ☐ Yes ☒ No
 - 2) Does your program identify a frequency at which you will conduct construction site inspections? ☒ Yes ☐ No
 - 3) Does your program identify the names of individual(s) or position titles of those responsible for conducting construction site inspections? ☐ Yes ☒ No
 - 4) Does your program include a checklist or other written means to document construction site ☒ Yes ☐ No

inspections when determining compliance?

- e. Does your program document and retain construction project name, location, total acreage to be disturbed, and owner/operator information? ☒ Yes ☐ No
- f. Does your program document stormwater-related comments and/or supporting information used to determine project approval or denial? ☒ Yes ☐ No
- g. Does your program retain construction site inspection checklists or other written materials used to document site inspections? ☒ Yes ☐ No

If you answered **no** to any of the above permit requirements, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

D.2.d.1): we will update our construction site stormwater runoff control program to include a procedure to identify priority sites for inspection.

D.2.d.3): we will update our Erosion Control for Construction Site Runoff Ordinance to identify position titles of those responsible for conducting construction site inspections. Regarding who is responsible for conducting construction site inspection, the current ordinance language states, "the city and their authorized representatives".

All of these actions will be completed within 12 months of the date permit coverage is extended.

3. List the categories of BMPs that address your construction site stormwater runoff control program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance	Continue to enforce existing Erosion Control for Construction Site Runoff Ordinance
City Permit Process	Continue to track and report on the number of Excavation and Grading or ROW Permits issued by the city annually. This information is presented at the annual public meeting.
Inspections	Continue weekly inspections (or following a 0.5-inch rainfall event) for all active construction projects during the growing season
BMP categories to be implemented	Measurable goals and timeframes
Inspection checklist	Formalize a site inspection checklist that meets the documentation requirements of the Construction Stormwater Permit. This action will be completed within 12 months of the date permit coverage is extended.
Plan review checklist	Create a plan review checklist to accompany the Excavation and Grading Permit or Right of Way Permit applications. This action will be completed within 12 months of the date permit coverage is extended.
Prioritize site inspections	Develop criteria by which certain projects are classified as "priority projects" due to factors such as: steep slopes, adjacent to a sensitive receiving water, etc. Make the classification as projects permit applications are submitted. This action will be completed within 12 months of the date permit coverage is extended.

4. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:
City Administrator

E. MCM 5: Post-construction stormwater management

1. The Permit (Part III.D.5.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement and enforce a post-construction stormwater management program. Describe your current program:

We have a Site Plan Review Ordinance outlines a formal site plan review procedure, including submittal requirements. The City requires that an Excavation and Grading Permit or Right of Way Permit be obtained for any land disturbing activity in the City. The bulk of the City's stormwater requirements and design standards are found in their adopted Local Surface Water Management Plan.
2. Have you established written procedures for site plan reviews that you will conduct prior to the start of construction activity? ☒ Yes ☐ No
3. Answer **yes** or **no** to indicate whether you have the following listed procedures for documentation of post-construction stormwater management according to the specifications of Permit (Part III.D.5.c.):
 - a. Any supporting documentation that you use to determine compliance with the Permit (Part III.D.5.a), including the project name, location, owner and operator of the construction activity, any checklists used for conducting site plan reviews, and any calculations used to determine compliance? ☒ Yes ☐ No
 - b. All supporting documentation associated with mitigation projects that you authorize? ☐ Yes ☒ No
 - c. Payments received and used in accordance with Permit (Part III.D.5.a.(4)(f))? ☐ Yes ☒ No
 - d. All legal mechanisms drafted in accordance with the Permit (Part III.D.5.a.(5)), including date(s) of the agreement(s) and names of all responsible parties involved? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements, describe the steps that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met.

E.3.b-c: we will update our post-construction stormwater management program to include parameters (consistent with those in the MS4 permit Part III.D.5.a.(4)) regarding mitigation provisions for projects that cannot meet the permit requirements on-site. This includes how the City will manage a payment-in-lieu-of-treatment option.

E.3.d: While the City has outlined long-term maintenance requirements for structural stormwater BMPs not owned and operated by the City through developers agreements, we will update our post-construction stormwater management program to include standard language that meets the requirements of the MS4 permit Part III.D.5.a.(5).

All of these actions will be completed within 12 months of the date permit coverage is extended.

4. List the categories of BMPs that address your post-construction stormwater management program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. Refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>). **If you have more than five categories**, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Ordinance	Continue to enforce our existing Site Plan Review Ordinance.
Plan review procedures	Continue to enforce the stormwater requirements in the City's Local Surface Water Management Plan. These requirements are updated periodically to remain consistent with the requirements of the jurisdictional watersheds in the City.
Plan review coordination	Continue to coordinate plan review activities with the Minnehaha Creek Watershed District and Pioneer Sarah Creek Watershed Management Commission, as necessary.
Record keeping	Continue to file all project reviews, Grading and Excavation Permit applications, and Right-of-Way Permit applications at City Hall for a period of at least 5 years
BMP categories to be implemented	Measurable goals and timeframes
Plan review checklist	Create a plan review checklist to accompany the Excavation and Grading Permit or Right of Way Permit applications. This action will be completed within 12 months of the date permit coverage is extended.
Post-construction stormwater management program update	Update the City's program to include language related to stormwater mitigation provisions and long-term maintenance

	requirements for stormwater BMPs not owned and operated by the City. This action will be completed within 12 months of the date permit coverage is extended.

5. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Administrator

F. MCM 6: Pollution prevention/good housekeeping for municipal operations

1. The Permit (Part III.D.6.) requires that, within 12 months of the date permit coverage is extended, existing permittees shall revise their current program, as necessary, and continue to implement an operations and maintenance program that prevents or reduces the discharge of pollutants from the permittee owned/operated facilities and operations to the small MS4. Describe your current program:

We inspect City owned structural stormwater BMPs annually and City owned ponds and outfalls at least once during the permit term. We sweep City streets annually in the spring and fall. We conduct stormwater related training for new/seasonal employees and on-going employees covering a variety of topics.

2. Do you have a facilities inventory as outlined in the Permit (Part III.D.6.a.)? ☐ Yes ☒ No
3. If you answered **no** to the above permit requirement in question 2, describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, this permit requirement is met:

We will prepare a facilities inventory as outlined in the MS4 permit Part III.D.6.a. and complete this inventory within 12 months of the date permit coverage is extended.

4. List the categories of BMPs that address your pollution prevention/good housekeeping for municipal operations program. Use the first table for categories of BMPs that you have established and the second table for categories of BMPs that you plan to implement over the course of the permit term.

Include the measurable goals with appropriate timeframes that each BMP category will be implemented and completed. In addition, provide interim milestones and the frequency of action in which the permittee will implement and/or maintain the BMPs. For an explanation of measurable goals, refer to the EPA's *Measurable Goals Guidance for Phase II Small MS4s* (<http://www.epa.gov/npdes/pubs/measurablegoals.pdf>).

If you have more than five categories, hit the tab key after the last line to generate a new row.

Established BMP categories	Measurable goals and timeframes
Structural stormwater BMPs, pond, and outfall inspections	Continue to inspect City structural stormwater BMPs annually and ponds and outfalls at least once during the permit term
Street sweeping	Continue annual street sweeping in the spring and fall
Training	Continue to conduct new-seasonal employment training and on-going employment training on topics such as: MSDS, spill reduction and response, street deicing, pesticide application, and street sweeping

BMP categories to be implemented	Measurable goals and timeframes
Facilities inventory	Complete a facilities inventory of city owned and operated facilities within 12 months of the date permit coverage is extended
Pond assessment	Relying on the guidance provided by the MPCA, we will develop a procedure for determining the TP and TSS treatment effectiveness of City-owned ponds. This action will be completed within the 5-year permit term.
Training	Develop employee training materials for public works employees that focuses on the importance of protecting water quality and the requirements of the MS4 permit as they apply to each employee. This action will be completed within 12 months of the

	date permit coverage is extended.
Stockpile, and storage and material handling area inspections	Increase current annual inspection frequency to quarterly inspections of City owned and operated stockpiles, and storage and material handling areas.

5. Does discharge from your MS4 affect a Source Water Protection Area (Permit Part III.D.6.c.)? ☐ Yes ☒ No

a. If **no**, continue to 6.

b. If **yes**, the Minnesota Department of Health (MDH) is in the process of mapping the following items. Maps are available at <http://www.health.state.mn.us/divs/eh/water/swp/maps/index.htm>. Is a map including the following items available for your MS4:

1) Wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330? ☐ Yes ☐ No

2) Source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act, U.S.C. §§ 300j – 13? ☐ Yes ☐ No

c. Have you developed and implemented BMPs to protect any of the above drinking water sources? ☐ Yes ☐ No

6. Have you developed procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater, according to the Permit (Part III.D.6.d.)? ☐ Yes ☒ No

7. Do you have inspection procedures that meet the requirements of the Permit (Part III.D.6.e.(1)-(3)) for structural stormwater BMPs, ponds and outfalls, and stockpile, storage and material handling areas? ☐ Yes ☒ No

8. Have you developed and implemented a stormwater management training program commensurate with each employee's job duties that:

a. Addresses the importance of protecting water quality? ☐ Yes ☒ No

b. Covers the requirements of the permit relevant to the duties of the employee? ☐ Yes ☒ No

c. Includes a schedule that establishes initial training for new and/or seasonal employees and recurring training intervals for existing employees to address changes in procedures, practices, techniques, or requirements? ☐ Yes ☒ No

9. Do you keep documentation of inspections, maintenance, and training as required by the Permit (Part III.D.6.h.(1)-(5))? ☐ Yes ☒ No

If you answered **no** to any of the above permit requirements listed in **Questions 5 – 9**, then describe the tasks and corresponding schedules that will be taken to assure that, within 12 months of the date permit coverage is extended, these permit requirements are met:

5. The DWSMA in Maple Plain is classified as "very low vulnerability", therefore MS4 discharges will not affect a source water protection area.

6. The City maintains one stormwater ponds, and the maintenance responsibility for this pond will ultimately be turned over to the Metropolitan Council. However, we will still develop procedured for determining the TP and TSS treatment effectiveness of City owned ponds.

7. We inspect structural stormwater BMPs annually, and ponds and outfalls once within the permit cycle. However, we are currently only inspecting stockpile, storage and material handling areas annually. This will be changed to quarterly to meet the MS4 Permit requirements.

8. We will improve our employee stormwater training program to meet the requirements of the MS4 Permit.

9. We will formalize our documentation program to track all inspections, maintenance, and training in accordance with the MS4 Permit.

10. Provide the name or the position title of the individual(s) who is responsible for implementing and/or coordinating this MCM:

City Administrator

VI. Compliance Schedule for an Approved Total Maximum Daily Load (TMDL) with an Applicable Waste Load Allocation (WLA) (Part II.D.6.)

- A. Do you have an approved TMDL with a Waste Load Allocation (WLA) prior to the effective date of the Permit? ☐ Yes ☒ No

1. If **no**, continue to section VII.
2. If **yes**, fill out and attach the MS4 Permit TMDL Attachment Spreadsheet with the following naming convention: *MS4NameHere_TMDL*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VII. Alum or Ferric Chloride Phosphorus Treatment Systems (Part II.D.7.)

- A. Do you own and/or operate any Alum or Ferric Chloride Phosphorus Treatment Systems which are regulated by this Permit (Part III.F.)? ☐ Yes ☒ No

1. If **no**, this section requires no further information.
2. If **yes**, you own and/or operate an Alum or Ferric Chloride Phosphorus Treatment System within your small MS4, then you must submit the Alum or Ferric Chloride Phosphorus Treatment Systems Form supplement to this document, with the following naming convention: *MS4NameHere_TreatmentSystem*.

This form is found on the MPCA MS4 website: <http://www.pca.state.mn.us/ms4>.

VIII. Add any Additional Comments to Describe Your Program

(2) Single-family front lot - 2-family rear lot (flag lot):

(a) Total lot area required for development (excluding the staff area) - 25,000 square feet:

1. Front lot area - 10,000 square feet, minimum for single-family dwelling; and
2. Rear lot (flag lot) area - 15,000 square feet, minimum for 2-family dwelling.

(b) Lot width:

1. Front lot - 89 feet minimum, excluding the staff area; and
2. Flag lot (rear) - 120 feet, minimum.

(3) Two-family front - 2-family rear (flag lot):

(a) Total lot area required for development (excluding the staff area) - 30,000 square feet, minimum:

1. Front lot area - 15,000 square feet, minimum; and
2. Back lot (flag lot) area - 15,000 square feet, minimum.

(b) Lot width:

1. Front lot - 120 feet, minimum, excluding the flag staff area; and
2. Back lot (flag lot) - 151 feet, minimum.

(4) All other requirements found for R-1 zoning apply to R-2 zoning.

(5) The house identification number for the flag lot (rear) shall be at the street.

(F) *Effective date.* This section shall have full force and effect upon its passage and publication. (Ord. 184, passed 9-24-2002) Penalty, see § 10.99

SITE PLAN REVIEW

§ 153.045 INTENT AND PROCEDURE.

(A) *Purpose.* The purpose of this section is to establish a formal site plan review procedure and provide regulations pertaining to the enforcement of site design standards consistent with the

requirements of this chapter. Site plan reviews are generally for nonresidential developments but shall be required for all commercial, industrial, and mixed-use developments prior to building permit submittal.

(B) *Pre-application meeting.* Prior to the formulation of a site plan, potential applicants may present a sketch to the City Administrator or Planner prior to filing of a formal application. The City Planner shall review the sketch and provide informal comments and direction for the application submittal.

(C) *Application requirements.* A site plan application shall be filed with the City Administrator or Planner on an official application form. The application shall be accompanied by a fee established by resolution by the City Council. The application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the Planner, fully describing the proposed site plan and improvements, together with a set of mailing labels of all property owners located within 350 feet of the site in a format prescribed by the City Planner. The application shall be considered as being officially submitted and complete when the applicant has complied with all the specified submittal requirements, as described in this section.

(D) *Staff analysis.* Upon receiving a complete application, as determined by staff review, the City Planner shall refer copies of the request to the city staff and other applicable public agencies as needed in order to receive written comments. The City Planner shall instruct the appropriate staff person to:

- (1) Coordinate an analysis of the application;
- (2) Prepare technical reports; and
- (3) Assist in preparing a recommendation to the Planning Commission and City Council.

(E) *Public hearing notice.* Upon completion of staff's analysis of the application, the City Administrator, when appropriate, shall set a public hearing date for an upcoming Planning Commission meeting. Notice of the hearing, including a description of the request and the legal description of the property, shall be published in the city's official newspaper at least 10 days prior to the hearing. Written notification of the hearing shall also be mailed to all property owners located within 350 feet of the site at least 10 days prior to the hearing. Failure of a property owner to receive mailed notice or defects in the notice shall not invalidate the proceedings.

(F) *Approval procedure and conditions.* Pursuant to Minnesota Statutes, an application for site plan approval shall be approved or denied within 60 days from the date of its official and complete submission unless extended pursuant to statute or a time waiver is granted by the applicant. Additional city requirements are as follows.

(G) *Planning Commission consideration.* The Planning Commission shall consider the request for a site plan and hold a public hearing. The applicant or representatives thereof may appear before the Planning Commission to present information and answer questions concerning the proposed

development. The Planning Commission shall make a finding of fact and make a recommendation on such actions or conditions relating to the request as they deem necessary to carry out the purpose of this chapter. The recommendations shall be in writing and accompanied by the report and recommendation of the city staff.

(H) *City Council consideration.* The City Council shall consider the site plan and recommendations of the Planning Commission and staff. The Council shall have the option of receiving additional testimony on the matter if they so choose. The Council shall either approve or deny the application; approval of a site shall require passage by a majority vote of the entire City Council. The Council may require plan revisions and may impose conditions upon approval, as deemed necessary to protect the health, safety, and general welfare of the city. If a site plan is denied by the City Council, the reasons for such action shall be recorded in the Council proceedings and transmitted to the applicant.

(I) *Evaluation criteria.* The Planning Commission and City Council shall evaluate the effects of the proposed site plan. This review shall be based upon, but not be limited to, compliance with the City Comprehensive Plan, provisions of this chapter (Design Guidelines and City Engineering Requirements).

(J) *Drawings; general requirements.*

(1) Drawings must include a title, and north point indication, the name and address of the applicant, name and address of the designer of the drawing and signature of the person who prepared the drawing, together with any registration number or other professional certification number or title. The application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the City Planner, fully explaining the purpose of the proposal, and including any proposed development and use.

(2) Drawings; existing and proposed conditions. The application form shall be accompanied by drawings and information indicating all of the following unless waived by the City Administrator or Planner:

(a) An accurate certified survey of the proposed development, current within 1 year, showing existing and proposed conditions and providing the current legal descriptions of all parcels within the proposed development;

(b) Floodplain and Shoreland District boundaries within the proposed development;

(c) Gross acreage and net acreage of the proposed development, computed to 1/10 of an acre and the land use and zoning district;

(d) Location, width, and name of all existing streets, public ways, parks, and other public lands (including permanent structures), railroads, utility rights-of-way, corporate lines, and easements within the proposed development and to a distance of 100 feet beyond the boundary lines of the development;

- (e) Location and size of all existing buildings, as well as all sewers, watermain, culverts, and other underground facilities (public and private) within the proposed development, and to a distance of 100 feet beyond the boundary lines of the development. Data such as grades, rim, and invert elevations, locations of catch basins, manholes, and fire hydrants shall also be provided;
- (f) Water courses, wetlands, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features within the proposed development, and to a distance of 100 feet beyond the boundary lines of the development;
- (g) Boundary lines and ownership of all adjoining land within 100 feet;
- (h) Tree inventory indicating the location, size, and species of all trees having 6 or greater caliper inches in diameter and are located within the proposed development, and to a distance of 25 feet beyond the boundary lines of the development. The inventory shall also include a tabular listing of all such trees and the total number and caliper inches to be saved and removed;
- (i) Soil borings and percolation tests, as may be required by the Building Official or City Engineer;
- (j) Layout of all proposed streets, including those required in accordance with the City's Comprehensive Plan, showing right-of-way widths, pavement widths, center line gradients, typical cross sections, street drainage systems, and proposed street names;
- (k) Location and width of all proposed sidewalks, trails, pedestrian ways, and fire lanes;
- (l) Location, dimensions, and purpose of all easements;
- (m) Minimum building setback lines;
- (n) Grading, erosion control, and drainage plan for the proposed development showing all of the following:
 - 1. Existing and proposed topography in 2-foot contour intervals and extending 100 feet beyond the borders of the proposed plat;
 - 2. The location of all existing natural features on the tract including, but not limited to, tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, and the like;
 - 3. The location of all existing and proposed storm sewer facilities including pipes, manholes, catch basins, ponds, swales, and drainage channels within 100 feet of the proposed plat;
 - 4. The proposed storm water improvements such as pipe type and size, pipe grades, rim, and invert elevations, and normal high water elevations;

5. The flood elevations and locations if the plat is located within, or adjacent to, a 100-year flood plain;
 6. The spot elevations at drainage break points and directional arrows indicating site and swale drainage, locations, grades, and rim invert elevations of all storm sewer facilities, including ponds proposed to serve the plat;
 7. The locations and elevations of all street high and low points, as well as the location of all easements, including oversize or non-typical easements;
 8. An erosion control plan including SWPPP if required; and
 9. The wetland delineation and mitigation at a 2 to 1 ratio if proposed.
- (o) Utility plan showing the location, dimensions, and purpose of all easements as well as the location, type, size, grades, rim, and invert elevations of existing and proposed sanitary sewer, storm sewer, water mains, culverts, catch basins, manholes, hydrants, and other similar facilities;
- (p) Landscaping plan showing the tree inventory and new plantings, berms, fences, walls, sidewalks, trails, and any subdivision signage;
- (q) Lighting plan showing all exterior lighting for the development, location of all exterior lighting by type and description, including, but not limited to, catalog cut sheets by manufacturers and drawings, photometric data, such as that furnished by manufacturers showing the angle of cutoff or light emissions. Photometric data need not be submitted when the shielding of a fixture is obvious to the City Planner;
- (r) Elevation plan with an architectural scale showing the height in elevation of the building, material types, and colors and location of rooftop equipment and proposed screening;
- (s) Provisions for storage and disposal of waste and recyclables in a 3-sided enclosed structure of like materials of the main structure; and
- (t) Sign plan showing all wall, freestanding, directional, and other signs to be erected upon the property including the elevation, size, and materials to be used.

(K) *Lapse of approval.* Unless otherwise specified by the City Administrator or City Council as may be applicable, the site plan approval shall become null and void 1 year after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition, or alteration, or use requested as part of the approved plan. The property owner or applicant shall have the right to submit an application for time extension to be approved by the City Council.

(L) *Site improvement performance and guarantee.* Final development plans shall be accompanied by a financial guarantee for the improvements in a form acceptable to the city. The city shall review the final development plans and determine the value of the improvements and complete a development agreement.

(Prior Code, § 17.01) (Am. Ord. 215, passed 7-23-2007)

REQUIREMENTS

§ 153.060 INTENT.

The intent of this subchapter of the zoning code is to establish general development performance standards. The regulations provided herein shall apply to residential zoning districts except where special provisions provide otherwise.

(Prior Code, § 18.01) (Am. Ord. 176, passed 2-9-1999)

§ 153.061 ACCESSORY BUILDINGS.

(A) Private garages, garden houses, tool sheds, or similar detached buildings, shall be located wholly to the rear of the house or main building to which it is incidental, with at least 20 feet of separation between the main building and the accessory building or buildings. When so placed, the accessory building or buildings shall be no less than 5 feet distant from any lot boundary line other than “street line” and no less than 35 feet distant from a lot boundary line which is also a “street line.” Accessory buildings are further limited to not exceed on 1 story in height or 16 feet. The maximum height of a garage door on any accessory building is 8 feet. Special circumstance may warrant higher door openings, which may be submitted for special review.

(B) Garage or other accessory structures which are attached to the house or main structure shall be governed by clearance requirements of this code which pertain to the main structure.

(C) No dwelling or accessory building shall be erected on any tract of unplatted land closer than 15 feet to the side lot line or closer than 5 feet to the rear lot line of the tract on which the building is to be located.

(D) All garages shall, if the vehicle entrance backs upon a public alley, be set back at least 20 feet from the public alley right-of-way.

(E) In no case shall the door of any structure, building, or improvement, except a fence, be erected or constructed so as to extend beyond any lot line. Eaves cannot extend beyond 2 feet into the required setbacks.

6 Goals and Policies

6.1 OVERVIEW

The City has a strong interest in protecting and managing its valuable water and natural resources, recognizing the relationships between resource protection, land use management, development and redevelopment, and fiscal responsibility. The City of Maple Plain promotes sustainable stormwater management practices for meeting its water resource management goals. The City of Maple Plain values its small town atmosphere, sense of community, learning opportunities through its Discovery Center, and natural setting adjacent Baker Park Reserve, wetlands, and creeks. Sustainable stormwater management is well-aligned with the City's values. Sustainable practices capture rain water as near as possible to the point where it fell. Sustainable practices avoid collecting and conveying runoff through gutters, catch basins, and pipes. Rather, sustainable practices look to the absorption and infiltration of runoff through innovative and aesthetically-pleasing landscape design and conserved natural areas.

The remaining sections outline the goals and policies specific to the following key surface water management issues in Maple Plain:

- Section 6.2 Land Development and Redevelopment
- Section 6.3 Water Resource Management
- Section 6.4 Management of Floodplains and Natural Areas
- Section 6.5 Citywide Program Elements
- Section 6.6 Support of Other Agencies

Sustainable stormwater management is incorporated into many of the goals and policies that follow.

6.2 LAND DEVELOPMENT AND REDEVELOPMENT

Overall Goal: Manage land disturbance and increased impervious surfaces to prevent flooding and adverse impacts to water resources. Maple Plain views land development and redevelopment activities as opportunities to retrofit rate control, infiltration, and water quality treatment.

Policy 1: Maple Plain will meet the Minnehaha Creek Watershed District (MCWD) phosphorus load reduction within MCWD areas of the City within a reasonable timeframe.

Policy 2: Maple Plain will apply phosphorus load reduction strategies citywide and not just in MCWD areas.

Policy 3: All redevelopment must make efforts toward reducing existing discharge rate, existing nutrient loading and existing runoff volume. If reductions are not feasible, the project proposer will submit to the City a detailed analysis of why these reductions are not feasible. At a minimum existing conditions for these parameters must be maintained.

Policy 4: The City will amend or modify its subdivision ordinance to facilitate stormwater quantity and quality performance measures identified in its Local Surface Water Management Plan.

Policy 5: The City will consider water quality retrofits on existing City properties as a means of providing treatment to currently developed areas without treatment.

Policy 6: The City references the following documents as guidance for Best Management Practices in Maple Plain: The Minnesota Pollution Control Agency's Protecting Water Quality in Urban Areas and its Minnesota Stormwater Manual, and the Metropolitan Council's Minnesota Urban Small Sites BMP Manual.

Policy 7: The City of Maple Plain will forward preliminary plats to the MCWD for their review prior to these plats being approved by the City.

6.2.1 RUNOFF RATE

Goal: Control the rate of stormwater runoff from development to reduce downstream flooding and erosion.

Policy 1: Future peak rates of discharge from new development and redevelopment will not exceed pre-development peak rates of discharge for the 1-yr or 2-yr, 10-yr and 100-yr, 24-hr storm events.

Policy 2: If the development or redevelopment activity occurs upstream of a known flood problem area, the City reserves the right to seek additional rate control as a means to mitigate this flooding.

Policy 3: Analysis of drainage for establishing rate control shall account for the highest and best use of all land within the drainage's tributary area. In this manner future redevelopment can better be accommodated.

6.2.2 FLOOD PREVENTION

Goal: Provide adequate storage and conveyance of runoff to protect the public safety and minimize property damage.

Policy 1: The volume of runoff may not increase due to a project when the receiving area of this runoff is landlocked and not capable of handling the increased volume of runoff. Anyone proposing increased runoff volume to landlocked areas shall have proper rights over the landlocked property to handle water from the development. Outletting will not be permitted unless there is a demonstrated threat to public structures or public safety.

Policy 2: Flood storage for those landlocked depressions with no outlet present must accommodate the volume generated by back-to-back 100-yr, 24-hr storm events or the 100-yr, 10-day storm events assuming frozen soil conditions, whichever is greater. Accommodate means that the calculated high water level provides freeboard to low structures.

Policy 3: The City will consider each development and redevelopment project as an opportunity to review flood protection within the larger drainage and will oversize facilities as necessary to accomplish citywide flood control.

Policy 4: The City shall require that ponds, outlets, rate control structures and stormwater drainageways are included in a drainage or utility easements.

Policy 5: Two feet of separation shall be provided from a calculated 100-year high water level and the low elevation of ground for an adjacent structure. In cases of land-locked basins two feet of freeboard shall be provided to back-to-back 100-yr events or five feet of freeboard shall be provided to a single event. Whichever standard causes the higher ground at structure elevation shall be used.

6.2.3 RUNOFF VOLUME

Goal: Reduce runoff volume discharged from land development and redevelopment projects to be less than or equal to existing conditions.

Policy 1: The City will encourage small scale and site appropriate volume reduction Best Management Practices (BMPs), including, but not limited to, filtration and infiltration bioretention BMPs, porous pavement systems, urban forestry, underground infiltration units, water reuse BMPs (rain barrels and cisterns), reduction of impervious surface, and green roofs.

Policy 2: Where existing soils, previous contamination, wellhead protection, or high groundwater (as detailed in the Minnesota Stormwater Manual) preclude infiltration, filtration BMPs will be used.

Policy 3: Where site conditions allow infiltration, a minimum ½-inch of infiltration volume shall be provided for all new impervious surfaces. Where site conditions do not allow infiltration, a minimum ½-inch of filtration volume shall be provided for all new impervious surfaces.

Policy 4: Understanding that ½-inch of infiltration volume is required (where conditions allow), for all development and redevelopment projects, the project proposer shall endeavor to obtain 1-inch of infiltration volume for all new impervious surfaces and shall endeavor to retrofit ½-inch infiltration volume to existing impervious surfaces. If these higher targets cannot be obtained, specific reasons must be presented as part of the development application.

6.2.4 NUTRIENT AND SEDIMENT LOADING

Goal: Reduce the nutrient and sediment loads discharged from City projects, land development and redevelopment projects to be 10% less than current conditions.

Policy 1: In areas of redevelopment where ponding is not feasible or available, in-line stormwater treatment systems will be required to treat stormwater runoff. These systems include, but are not limited to, filtration and infiltration bioretention Best Management Practices (BMPs), porous pavement systems, urban forestry, underground infiltration units, and green roofs.

Policy 2: Pretreatment of stormwater runoff to the Nationwide Urban Runoff Program (NURP) or Minnesota Pollution Control Agency guidelines in design and construction of new or modifications to existing stormwater conveyance systems, wherever possible and feasible.

Policy 3: Application of a Phosphorus Load Reduction Strategy citywide and not just in Minnehaha Creek Watershed areas.

Policy 4: A minimum ½-inch of water quality volume shall be provided for all new impervious surfaces. Where site conditions do not allow infiltration, a minimum 1-inch of water quality volume shall be provided for new impervious surfaces.

Policy 5: For all development and redevelopment projects, the project proposer shall endeavor to retrofit ½-inch water quality volume to existing impervious surfaces. This retrofit water quality volume can be the infiltration volume described above. If these higher targets cannot be obtained, specific reasons must be presented as part of the development application.

Goal: Facilitate WMO review of development projects to manage nutrient and sediment loading.

Policy 6: The City will coordinate development review activities with the watershed organizations. Each water organization will continue permitting within their separate jurisdictions.

Goal: Collaborate with Minnehaha Creek Watershed District (MCWD) to reduce phosphorus loading to Jennings' Bay of Lake Minnetonka by accomplishing the Phosphorus Load Reduction required by MCWD, and encourage similar treatment expectations throughout the City.

Policy 7: The City will report annually to the Minnehaha Creek Watershed District on progress made at achieving the phosphorus load reduction and plans of future activities that will further meet the load reduction. This reporting will be conducted through the MCWD Painters Creek Subwatershed Phosphorus Reduction Plan.

6.2.5 EROSION AND SEDIMENT CONTROL

Goal: Prevent sediment from construction sites from entering the City of Maple Plain's or adjacent jurisdictions' surface water resources.

Policy 1: The City will develop and enforce a Construction Site Stormwater Runoff Control Ordinance as outlined in its NPDES permit. This ordinance will outline permit requirements for land alteration activities within Maple Plain and will be written to be consistent with the NPDES construction permit, the City's MS4 permit, Metropolitan Council's guidance, and the policies of the watershed organizations with jurisdiction over the City.

Policy 2: The City will periodically review and revise its Construction Site Stormwater Runoff Control Ordinance to maintain conformance with the NPDES construction permit, the City's MS4 permit, guidance from Metropolitan Council and the requirements of the watershed management organizations.

Policy 3: The City will inspect storm water retention and treatment basins and outlets every year to determine if the basin's retention and treatment characteristics are adequate to meet its design function. Based on this inspection, retention basins that are identified for maintenance will be prioritized on a cost benefit basis and basin maintenance will be performed as funds become available. The City will modify its SWPPP to include this annual inspection.



City of Maple Plain
1620 Maple Avenue
P.O. Box 97
Maple Plain, MN 55359
Office: (763) 479-0515
Fax: (763) 479-0519

EXCAVATION & GRADING PERMIT

APPLICANT INFORMATION

Applicant Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email
Are you the owner of the property? <input type="checkbox"/> Yes. <input type="checkbox"/> No. <i>(If not, property owner information is required.)</i>	

Owner Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email

24-Hour Contact	
Name	Cell Phone

PROJECT INFORMATION

Site Address or Property Identification Number

(Street, property address or legal description. Include distance and direction from nearest street intersection.)

Project Description *(Check all that apply.)*

Wetland or water course impacts	Public Right of Way impacts	Type of material	Disturbance Amount	Total Area
<input type="checkbox"/> Yes. <input type="checkbox"/> No. <i>If yes, applicant must contact appropriate watershed districts. Minnehaha Creek: (612) 471-0590. Pioneer Sarah Creek: (612) 348-7338.</i>	<input type="checkbox"/> Yes. <input type="checkbox"/> No. <i>If yes, right of way permit is required from City, County or MnDOT.</i>	<input type="checkbox"/> Removed <input type="checkbox"/> Deposited <input type="checkbox"/> Disturbed (Grading only)	<input type="checkbox"/> Removed <input type="checkbox"/> Deposited <input type="checkbox"/> Disturbed (Grading only)	<input type="checkbox"/> Dimensions <input type="checkbox"/> Cubic Yard <i>More than one acre requires a permit from the MN Pollution Control Agency.</i>

Expected start date	Expected completion date
----------------------------	---------------------------------

Traffic Impacts

Will work obstruct City street(s) ? ☐ Yes. ☐ No.

Will work require detour of traffic? ☐ Yes. ☐ No.

Streets to be affected:

Proposed hauling route(s):

Contact West Hennepin Public Safety for approval route(s) if detour required – (763) 479-0500.

FEES

Excavation & Grading Permit Fees (0 to 999 cu. Yds.)	Excavation & Grading Permit Fees (1,000+ cu. Yds.)
<input type="checkbox"/> \$125 <50 cubic yards	<input type="checkbox"/> \$1,000 >1,000 cubic yards
<input type="checkbox"/> \$200 51-100 cubic yards	<input type="checkbox"/> City Council Approval Date: _____
<input type="checkbox"/> \$350 101-999 cubic yards	<input type="checkbox"/> Letter of Credit Amount: _____

MAPS, PLANS & DOCUMENTATION

Required documentation

- | | |
|---|---|
| <input checked="" type="checkbox"/> City-wide map identifying area. | <input checked="" type="checkbox"/> Impacted areas. |
| <input checked="" type="checkbox"/> Map of area depicting specific/detailed location. | <input checked="" type="checkbox"/> Erosion control. |
| | <input checked="" type="checkbox"/> Stock pile locations. |
| | <input checked="" type="checkbox"/> Other information as requested by the City. |

AGREEMENT

The work done under this permit shall be in strict conformity with the ordinances and standards of the City of Maple Plain, City Engineer, Watershed Districts and State of Minnesota. The applicant shall hold harmless and defend the City of Maple Plain for any claim of loss or damage made against the City, its employees or representatives arising out of the activities of the applicant.

The applicant shall be responsible for demonstrating the project meets City, State and Watershed requirements for excavation and grading. Said burden shall include the furnishing of necessary reports, site plans and other supporting calculations to the City. The City may require said documents be provided by a registered professional engineer or land surveyor.

By signing this agreement the applicant agrees to pay all applicable fees, provide any required documentation and insurance, and abide by all other the terms and conditions contained herein.

Applicant Signature

Date

Owner Signature

Date

AUTHORIZATION

Upon payment of, or agreement to pay, the permit fee and in consideration of the agreement to comply with all City Ordinances, Watershed District standards and State Statutes pertaining to said project, permission is hereby granted for the work to be done as described above. The applicant shall notify the City of any changes to the project, and pay any applicable fees as a result. If applicable, have the following approvals been obtained:

- | | |
|---|-------------|
| <input type="checkbox"/> Minnehaha Creek Watershed District | Date: _____ |
| <input type="checkbox"/> Pioneer Sarah Creek Watershed District | Date: _____ |
| <input type="checkbox"/> MN Pollution Control Agency | Date: _____ |

If not, expected approval date: _____

Financial Guarantee amount: \$ _____

In consideration of agreement to comply in all respects with the regulations of the City of Maple Plain, permission is hereby granted for the work to be done as prescribed in the application and submitted drawings.

Approved By

Signature

Date

Final inspection by Public Works Department

Inspected By

Signature

Date

OFFICE USE ONLY

Fees Collected

- | | |
|--|---------------------|
| <input type="checkbox"/> \$125 | <50 cubic yards |
| <input type="checkbox"/> \$200 | 51-100 cubic yards |
| <input type="checkbox"/> \$350 | 101-999 cubic yards |
| <input type="checkbox"/> \$1,000 | >1,000 cubic yards |
| <input type="checkbox"/> City Council Approval | |
| <input type="checkbox"/> Letter of Credit | |

Received By

- | |
|---|
| <input type="checkbox"/> Name: _____ |
| <input type="checkbox"/> Signature: _____ |
| <input type="checkbox"/> Date: _____ |
| <input type="checkbox"/> Receipt: _____ |



City of Maple Plain
1620 Maple Avenue
P.O. Box 97
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Office: (763) 479-0515
Fax: (763) 479-0519

RIGHT OF WAY PERMIT

APPLICANT INFORMATION

Applicant Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email
Are you the owner of the property? <input type="checkbox"/> Yes. <input type="checkbox"/> No. <i>(If not, property owner information is required.)</i>	

Owner Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email

24-Hour Contact	
Name	Cell Phone

PROJECT INFORMATION

Site Address or Property Identification Number
(Street, property address or legal description. Include distance and direction from nearest street intersection.)

Project Description *(Check all that apply.)*

Type of Work	Type of Utility	Disturbed Area(s)	Type of Surface(s)	Type of Installation
<input type="checkbox"/> New	<input type="checkbox"/> Electric	<input type="checkbox"/> Street Surface	<input type="checkbox"/> Grass/Soil	<input type="checkbox"/> Cable
<input type="checkbox"/> Fix/Replace	<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Pond/Wetland	<input type="checkbox"/> Gravel	<input type="checkbox"/> Pipe
<input type="checkbox"/> Extension	<input type="checkbox"/> Cable	<input type="checkbox"/> Landscaping	<input type="checkbox"/> Concrete	<input type="checkbox"/> Other (list)
<input type="checkbox"/> Other (list)	<input type="checkbox"/> Telephone	<input type="checkbox"/> Trees	<input type="checkbox"/> Asphalt	_____
_____	<input type="checkbox"/> Other (list)	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Other (list)	_____
_____	_____	<input type="checkbox"/> Boulevard	_____	_____
_____	_____	<input type="checkbox"/> Trail/Sidewalk	_____	_____
_____	_____	<input type="checkbox"/> Structures	_____	_____
		<input type="checkbox"/> Private Utilities		
		<input type="checkbox"/> Public Utilities		

Method of Installation, Construction & Excavation	Excavation Dimensions
	<input type="checkbox"/> Depth _____ <input type="checkbox"/> Hole size _____ <input type="checkbox"/> Length _____

Expected start date	Expected completion date
---------------------	--------------------------

Traffic Impacts

Will work obstruct City street(s) and/or require detour of traffic? ☐ Yes. ☐ No.

Streets to be affected:

Proposed detour route(s):

Contact West Hennepin Public Safety for approval of detour route(s) – (763) 479-0500.

MAPS, PLANS & DOCUMENTATION

Required documentation

- | | |
|---|---|
| <input checked="" type="checkbox"/> City-wide map identifying area. | <input checked="" type="checkbox"/> Impacted areas. |
| <input checked="" type="checkbox"/> Map of area depicting specific/detailed location. | <input checked="" type="checkbox"/> Erosion control. |
| | <input checked="" type="checkbox"/> Stock pile locations. |
| | <input checked="" type="checkbox"/> Other information as requested by the City. |

AGREEMENT

The work done under this permit shall be in strict conformity with the ordinances of the City of Maple Plain, and to the standards adopted by the City Engineer and State of Minnesota. The applicant shall hold harmless and defend the City of Maple Plain for any claim of loss or damage made against the City, its employees or representatives arising out of the activities of the applicant.

By signing this agreement the applicant agrees to pay all applicable fees, provide any required insurance, and abide by all other the terms and conditions contained herein.

It is expressly understood that this permit is conditioned upon replacement or restoration of all rights of ways, road surfaces or other disturbed public or private property to the original or better condition prior to work described above.

Applicant Signature

Date

Owner Signature

Date

AUTHORIZATION

Upon payment of, or agreement to pay, the permit fee and in consideration of the agreement to comply with all City Ordinances, Watershed District standards and State Statutes pertaining to said project, permission is hereby granted for the work to be done as described above. The applicant shall notify the City of any changes to the project. Additionally, said work is to be done in accordance with special precautions or conditions as hereby stated:

Approved By

Signature

Date

Final inspection by Public Works Department

Inspected By

Signature

Date

OFFICE USE ONLY

Fees Collected

- | | |
|---|--|
| <input type="checkbox"/> Right of Way Permit Fee
\$250 | <i>Completed permit and applicable fees
required for each project.</i> |
| <input type="checkbox"/> Right of Way Annual Escrow (Utility Companies)
\$1,000 | |

Received By

- | |
|---|
| <input type="checkbox"/> Name: _____ |
| <input type="checkbox"/> Signature: _____ |
| <input type="checkbox"/> Date: _____ |
| <input type="checkbox"/> Receipt: _____ |

REGULATIONS REGARDING EROSION CONTROL FOR CONSTRUCTION SITE RUNOFF

§ 50.100 INTENT.

To promote the health, safety and general welfare of the citizens of Maple Plain, Minnesota, by requiring storm water management practices for construction activity.
(Ord. 235, passed 6-22-2009)

§ 50.101 STATUTORY AUTHORIZATION.

This subchapter is adopted pursuant to M.S. § 462.351, as it may be amended from time to time, for cities and towns, and M.S. § 394.21, as it may be amended from time to time, for counties having a population of less than 300,000 according to the 1950 federal census) (1990).
(Ord. 235, passed 6-22-2009)

§ 50.102 FINDINGS.

The city hereby finds that uncontrolled land disturbing activity at construction sites are subject to soil erosion and other pollutants which enter into receiving water bodies adversely affecting the public health, safety and general welfare by impacting water quality, creating nuisances, impairing other beneficial uses of environmental resources and hindering the ability of the city to provide adequate water, sewage, flood control and other community services.
(Ord. 235, passed 6-22-2009)

§ 50.103 PURPOSE.

The purpose of this subchapter is to promote, preserve and enhance the natural resources within the city and protect them from adverse effects occasioned by poorly sited development or incompatible activities by regulating land disturbing activities that would have an adverse and potentially irreversible impact on water quality and environmentally sensitive land; by minimizing conflicts and encouraging proper installation and maintenance of best management practices (BMPs) for land disturbing activities; and by requiring detailed review standards and procedures for land disturbing activities proposed for such areas, thereby achieving a balance between development, redevelopment and protection of water quality and natural areas.
(Ord. 235, passed 6-22-2009)

§ 50.104 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. When inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number and words in the singular number include the plural number. The word “shall” is always mandatory and not merely directive.

APPLICANT. Any person who wishes to obtain a building permit, zoning or subdivision approval.

BEST MANAGEMENT PRACTICE (BMP). Erosion and sediment control and water quality management practices that are the most effective and practicable means of controlling, preventing and minimizing the degradation of surface water, including construction-phasing, minimizing the length of time soil areas are exposed, prohibitions and other management practices published by state or designated area-wide planning agencies.

DETENTION FACILITY. A permanent, natural or man-made structure, including wetlands, for the temporary storage of runoff which contains a permanent pool of water.

DISCHARGE. The release, conveyance, channeling, runoff or drainage of stormwater, including snow melt from a construction site.

EXPOSED SOIL AREAS. All areas of the construction site where the vegetation (trees, shrubs, brush, grasses and the like) or impervious surface has been removed, thus rendering the soil more prone to erosion. This includes topsoil stockpile areas, borrow areas and disposal areas within the construction site. It does not include stockpiles or surcharge areas of gravel, concrete or bituminous. Once soil is exposed it is considered “exposed soil”, until it meets the definition of **FINAL STABILIZATION**.

FINAL STABILIZATION. The following activities must be completed:

(1) All soil disturbing activities at the site have been completed and a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions or geotextiles) have been employed;

(2) For individual lots in residential construction by the contractor, the contractor must either:

(a) Complete final stabilization as specified above; and

(b) Establish temporary stabilization including perimeter controls for an individual lot prior to occupation of the structure. If the contractor chooses this option, he or she must inform the owner in writing of the need for, and benefits of, final stabilization.

(3) The contractor must clean out all sediment from conveyances and from temporary sedimentation basins that are to be used as permanent water quality management basins. Sediment must be stabilized to prevent it from washing back into the basin, conveyances or drainage ways discharging off-site or to surface waters. The cleanout of permanent basins must be sufficient to return the basin to design capacity. All drainage ditches constructed to drain water from the site after construction is complete must be stabilized to preclude erosion; and

(4) All temporary synthetic and structural erosion prevention and sediment control BMPs (such as silt fence) must be removed as part of the final stabilization on the site.

LAND DISTURBING OR DEVELOPMENT ACTIVITIES. Any change of the land surface including removing vegetative cover, excavating, filling, grading and the construction of any structure.

PERSON. Any individual, firm, corporation, partnership, franchise, association or governmental entity.

PUBLIC WATERS. Waters of the state as defined in M.S. § 103G.00S, Subdivision 15, as it may be amended from time to time.

RETENTION FACILITY. A permanent, natural or man-made structure that provides for the storage of storm water runoff by means of a permanent pool of water.

SEDIMENT. Solid matter carried by water, sewage or other liquids.

STORM WATER POLLUTION PREVENTION PLAN (SWPPP). A joint stormwater and erosion and sediment control plan that is a document containing the requirements of this subchapter, that when implemented will decrease soil erosion on a parcel of land and off-site non-point pollution.

STRUCTURE. Anything manufactured, constructed or erected which is normally attached to or positioned on land, including portable structures, earthen structures, roads, parking lots, paved storage areas, fences and retaining walls.

WATERS OF THE STATE. As defined in M.S. § 115.01, Subdivision 22, as it may be amended from time to time, the term **WATERS OF THE STATE** means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through or border upon the state or any portion thereof.

WETLANDS. Lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this definition, **WETLANDS** must have the following 3 attributes:

- (1) Have a predominance of Hydric soils;

(2) Are inundated or saturated by surface or ground water at a frequency and duration sufficient to support a prevalence of Hydrophytic vegetation typically adapted for life in saturated soil conditions; and

(3) Under normal circumstances support a prevalence of such vegetation.
(Ord. 235, passed 6-22-2009)

§ 50.105 SCOPE AND EFFECT.

(A) *Applicability.* Every applicant for a building permit, subdivision approval or a permit to allow land disturbing activities greater than or equal to 1 acre or part of a larger common plan or development greater or equal to 1 acre must submit a storm water pollution prevention plan to the Zoning Administrator. No building permit, subdivision approval or permit to allow land disturbing activities shall be issued until approval of the storm water pollution prevention plan or a waiver of the approval requirement has been obtained in strict conformance with the provisions of this subchapter. The provisions of division (B) below apply to all land, public or private.

(B) *Exemptions.* The provisions of this subchapter do not apply to:

(1) Any part of a subdivision if a plat for the subdivision has been approved by the City Council on or before the effective date of this subchapter;

(2) A lot for which a building permit has been approved on or before the effective date of this subchapter;

(3) Installation of fence, sign, telephone and electric poles and other kinds of posts or poles;

(4) Emergency work to protect life, limb or property; and

(5) Tilling, planting or harvesting of agricultural, horticultural or silvicultural (forestry) crops.
(Ord. 235, passed 6-22-2009)

§ 50.106 STORM WATER POLLUTION PREVENTION PLAN SUBMITAL PROCEDURES.

(A) *Application.* A written application for storm water pollution prevention plan approval, along with the proposed storm water pollution prevention plan, shall be filed with the city and shall include a statement indicating the grounds upon which the approval is requested, that the proposed use permitted by right or as an exception in the underlying zoning district, and adequate evidence showing that the proposed use will conform to the standards set forth in this subchapter. Prior to applying for approval of a storm water pollution prevention plan, an applicant may have the storm water pollution prevention

plan reviewed by the appropriate departments of the city. Two sets of clearly legible blue or black lined copies of drawings and required information shall be submitted to the Zoning Administrator and shall be accompanied by a receipt from the City Clerk evidencing the payment of all required fees for processing and/or financial securities in accordance with the city. Drawings shall be prepared to a scale appropriate to the site of the project and suitable for the review to be performed. At a minimum, the scale shall be 1 inch equals 100 feet.

(B) *Storm water pollution prevention plan.* At a minimum, the storm water pollution prevention plan shall contain the following information.

(1) *Existing site map.* A map of existing site conditions showing the site and immediately adjacent areas, including:

(a) The name and address of the applicant, the section, township and range, north point, date and scale of drawing and number of sheets;

(b) Location of the tract by an insert map at a scale sufficient to clearly identify the location of the property and giving such information as the names and numbers of adjoining roads, railroads, utilities, subdivision, towns and districts or other landmarks;

(c) Existing topography with a contour interval appropriate to the topography of the land but in no case having a contour interval greater than 2 feet;

(d) A delineation of all streams, rivers, public waters and wetlands located on and immediately adjacent to the site, including depth of water, a description of all vegetation which may be found in the water, a statement of general water quality and any classification given to the water body or wetland by the Minnesota Department of Natural Resources, the Minnesota Pollution Control Agency and/or the United States Army Corps of Engineers;

(e) Location and dimensions of existing storm water drainage systems and natural drainage patterns on and immediately adjacent to the site delineating in which direction and at what rate storm water is conveyed from the site, identifying the receiving stream, river, public water or wetland, and setting forth those areas of the unaltered site where storm water collects;

(f) A description of the soils of the site, including a map indicating soil types of areas to be disturbed as well as a soil report containing information on the suitability of the soils for the type of development proposed and for the type of sewage disposal proposed and describing any remedial steps to be taken by the applicant to render the soils suitable;

(g) Vegetative cover and clearly delineating any vegetation proposed for removal; and

(h) One hundred year floodplain, flood fringes and floodways.

(2) *Site construction plan.* A site construction plan including:

- (a) Locations and dimensions of all proposed land disturbing activities;
- (b) Locations and dimensions of all temporary soil or dirt stockpiles;
- (c) Locations and dimensions of all construction site erosion control measures and best management practices (BMPs) necessary to meet the minimum BMP requirements listed in § 50.108; and
- (d) Schedule of anticipated starting and completion date of each land disturbing activity including the installation of construction site erosion control measures needed to meet the requirements of this subchapter.

(3) *Plan of final site conditions.* A plan of final site conditions on the same scale as the existing site map showing the site changes including:

- (a) Finished grading shown at contours at the same interval as provided above or as required to clearly indicate the relationship of proposed changes to existing topography and remaining features;
- (b) A landscape plan, drawn to an appropriate scale, including dimensions and distances and the location, type, size and description of all proposed landscape materials which will be added to the site as part of the development;
- (c) A drainage plan of the developed site delineating in which direction and at what rate storm water will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect;
- (d) The proposed size, alignments and intended use of any structures to be erected on the site;
- (e) A clear delineation and tabulation of all areas which shall be paved or surfaced, including a description of the surfacing material to be used; and
- (f) Any other information pertinent to the particular project which in the opinion of the applicant is necessary for the review of the project.

(4) *Permit number.* Copy of MPCA permit number for discharging stormwater from construction activity (MN R100001).
(Ord. 235, passed 6-22-2009)

§ 50.107 STORM WATER POLLUTION PLAN REVIEW PROCESS.

(A) *Process.* Storm water pollution prevention plans meeting the requirements of § 50.106 and minimum BMP requirements of § 50.108 will be reviewed by the Zoning Administrator or designated representative which may approve, approve with conditions or deny the storm water pollution prevention plan. If the stormwater pollution prevention plan is part of a large subdivision, the city may require the SWPPP be reviewed by the Planning Commission. The Planning Commission may approve, approve with conditions or deny the storm water pollution prevention plan. Following Planning Commission action, the storm water pollution prevention plan shall be submitted to the City Council at its next available meeting. City Council action on the storm water pollution prevention plan must be accomplished within 120 days following the date the application for approval is filed with the city.

(B) *Duration.* Approval of a plan submitted under the provisions of this subchapter shall expire 1 year after the date of approval unless construction has commenced in accordance with the plan. However, if prior to the expiration of the approval, the applicant makes a written request to the city for an extension of time to commence construction setting forth the reason for the requested extension, the Planning Department may grant 1 extension of not greater than 1 single year. Receipt of any request for an extension shall be acknowledged by the city within 15 days. The city shall make a decision on the extension within 30 days of receipt. Any plan may be revised in the same manner as originally approved.

(C) *Condition.* A storm water pollution prevention plan may be approved subject to compliance with conditions reasonable and necessary to insure that the requirements contained in the ordinance are met. Such conditions may, among other matters, limit the size, kind or character of the proposed development, require replacement of vegetation, establish required monitoring procedures, stage the work over time or require alteration of the site design to insure buffering.

(D) *Financial security.* Prior to approval of any storm water pollution prevention plan, the applicant shall submit a financial security in the amount specified by the current city fee and security structure. The securities shall guarantee completion and compliance with conditions within a specific time, which time may be extended in accordance with division (B) above. The adequacy, conditions and acceptability of any financial security shall be determined by the City Council or any official of the city as may be designated by resolution of the City Council.

(Ord. 235, passed 6-22-2009)

§ 50.108 MINIMUM CONSTRUCTION SITE BEST MANAGEMENT PRACTICES.

(A) *Storm water pollution prevention plan standards.* No storm water pollution prevention plan which fails to meet the standards contained in this section shall be approved by the City Council or designated representative.

(B) *Site de-watering.* Water pumped from the site shall be treated by temporary sedimentation basins, grit chambers, sand filters, upflow chambers, hydrocyclones, swirl concentrators or other appropriate controls as appropriate. Water may not be discharged in a manner that causes erosion, scour or flooding of the site or receiving channels or a wetland.

(C) *Construction site waste.*

(1) **SOLID WASTE.** Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.

(2) **HAZARDOUS MATERIALS.** Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spill, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.

(3) **LIQUID WASTE.** All other non storm water discharges (concrete truck washout, vehicle washing, maintenance spills and the like) conducted during the construction activity shall not be discharged to the municipal storm sewer, wetlands, natural drainageways or waters of the state.

(D) *Tracking.* Vehicle tracking of sediment onto paved surfaces must be removed by street sweeping as needed to prevent discharge of sediment laden water from entering the city storm sewer system.

(E) *Drain inlet protection.* All storm drain inlets shall be protected during construction until final establishment has been accomplished or until approval from the city.

(F) *Site erosion and sediment control.*

(1) Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below. Sheetflow runoff from adjacent areas greater than 10,000 square feet in area shall also be diverted around disturbed areas, unless shown to have resulted runoff rates of less than 1/2 feet/second across the disturbed area for the 1 year storage. Diverted runoff shall be conveyed in a manner that will not cause erosion, scour or flooding of the conveyance at receiving channels.

(2) All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any 1 time.

(3) All exposed soil areas with a must have temporary erosion protection or permanent cover for the exposed soil areas year round within 14 days of inactivity.

(4) For sites with more than 10 acres disturbed at 1 time, or if a channel originates in the disturbed area, 1 or more temporary or permanent sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least 1% of the area draining to the basin and at least 3 feet of depth and constructed in accordance with accepted design specifications. Sediment shall be removed to maintain a depth of 3 feet. The basin discharge rate shall also be sufficiently low as to not cause erosion, scour or flooding along the discharge channel or the receiving water.

(5) Silt fences or equivalent control measures shall be placed along all side slopes and down slope sides of the site. If a channel or area of concentrated runoff passes through the site, silt fences shall be placed along the channel edges to reduce sediment reaching the channel. The use of silt fences or equivalent control measures must include a maintenance and inspection schedule.

(6) Any soil or dirt storage piles containing more than 10 cubic yards of material should not be located with a downslide drainage length of less than 25 feet from the toe of the pile to a roadway or drainage channel. If remaining for more than 7 days, they shall be stabilized by mulching vegetative cover, tarps or other means. Erosion from piles which will be in existence for less than 7 days shall be controlled by placing silt fence or other equivalent barriers around the pile. In-street utility repair or construction soil or dirt storage piles located closer than 25 feet of a roadway or drainage channel must be covered with tarps or suitable alternative control.

(G) *Inspection and maintenance.* All stormwater management BMPs shall be inspected weekly or after every 1/2 inch rain event by the applicant. If sediment has reached 1/3 the capacity of the sediment control practice, appropriate maintenance or replacement of the BMP must be completed to ensure maximum effectiveness.

(Ord. 235, passed 6-22-2009)

§ 50.109 COMPLETION OF WORK.

Work will be considered complete when all exposed soil areas have undergone final stabilization, as defined in § 50.104; is constructed to finish grade and is in conformance with all permit conditions of approval to the satisfaction of the city. The applicant or representative shall notify the city when the land disturbing operations are ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion control measures, have been completed and final stabilization has occurred in accordance with this subchapter. (Ord. 235, passed 6-22-2009)

§ 50.110 ENFORCEMENT PROCEDURES.

(A) *Right of entry.* The applicant shall promptly allow the city and their authorized representatives, upon presentation of credentials to:

(1) Enter upon the permitted site for the purpose of obtaining information, examination of records, conducting investigations, inspections or surveys;

(2) Bring such equipment upon the permitted site as is necessary to conduct such surveys and investigations;

(3) Examine and copy any books, papers, records or memoranda pertaining to activities or records required to be kept under the terms and conditions of this permitted site;

(4) Inspect the storm water pollution control measures;

(5) Sample and monitor any items or activities pertaining to storm water pollution control measures; and

(6) Any temporary or permanent obstruction to the safe and easy access of such an inspection shall be promptly removed upon the inspector's request. The cost of providing such access shall be born by the applicant.

(B) *Warning letter.* If upon inspection by the city or designated representative, the applicant fails to implement the erosion and sediment control practices outlined in the approved stormwater pollution prevention plan or minimum BMP standards outlined in § 50.104, the city will notify the applicant with a letter of warning which outlines the issues of noncompliance and a time line for completion of any work to bring the site into compliance.

(C) *Action against the financial security.* If appropriate actions by the applicant have not been completed within 7 days after notification by the city, the city may act against the financial security if any of the conditions listed below exist. The city shall use funds from this security to finance any corrective or remedial work undertaken by the city or a contractor under contract to the city and to reimburse the city for all direct cost incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

(1) The applicant ceases land disturbing activities and/or filling and abandons the work site prior to completion of the city approved grading plan.

(2) The applicant fails to conform to any city approved grading plan and/or the storm water pollution control plan as approved by the city, or related supplementary instructions.

(3) The techniques utilized under the storm water pollution control plan fail within 1 year of installation.

(4) The applicant fails to reimburse the city for corrective action taken under § 50.107.

(5) Emergency action under either division (D) below.

(D) *Emergency action.* If circumstances exist such that noncompliance with this subchapter poses an immediate danger to the public health, safety and welfare, as determined by the City Engineer, the city may take emergency preventative action. The city shall also take every reasonable action possible to contact and direct the applicant to take any necessary action. Any cost to the city may be recovered from the applicant's financial security.
(Ord. 235, passed 6-22-2009)

§ 50.999 PENALTY.

(A) *General.* Any person violating any provision of this chapter for which any specific penalty is prescribed shall be subject to § 10.99.

(B) *Regulations regarding erosion control for construction site runoff.* Any person, firm or corporation violating any provision of §§ 50.100 through 50.110 shall be fined not less than \$5 nor more than \$500 for each offense and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.
(Ord. 235, passed 6-22-2009)

(2) Single-family front lot - 2-family rear lot (flag lot):

(a) Total lot area required for development (excluding the staff area) - 25,000 square feet:

1. Front lot area - 10,000 square feet, minimum for single-family dwelling; and
2. Rear lot (flag lot) area - 15,000 square feet, minimum for 2-family dwelling.

(b) Lot width:

1. Front lot - 89 feet minimum, excluding the staff area; and
2. Flag lot (rear) - 120 feet, minimum.

(3) Two-family front - 2-family rear (flag lot):

(a) Total lot area required for development (excluding the staff area) - 30,000 square feet, minimum:

1. Front lot area - 15,000 square feet, minimum; and
2. Back lot (flag lot) area - 15,000 square feet, minimum.

(b) Lot width:

1. Front lot - 120 feet, minimum, excluding the flag staff area; and
2. Back lot (flag lot) - 151 feet, minimum.

(4) All other requirements found for R-1 zoning apply to R-2 zoning.

(5) The house identification number for the flag lot (rear) shall be at the street.

(F) *Effective date.* This section shall have full force and effect upon its passage and publication. (Ord. 184, passed 9-24-2002) Penalty, see § 10.99

SITE PLAN REVIEW

§ 153.045 INTENT AND PROCEDURE.

(A) *Purpose.* The purpose of this section is to establish a formal site plan review procedure and provide regulations pertaining to the enforcement of site design standards consistent with the

requirements of this chapter. Site plan reviews are generally for nonresidential developments but shall be required for all commercial, industrial, and mixed-use developments prior to building permit submittal.

(B) *Pre-application meeting.* Prior to the formulation of a site plan, potential applicants may present a sketch to the City Administrator or Planner prior to filing of a formal application. The City Planner shall review the sketch and provide informal comments and direction for the application submittal.

(C) *Application requirements.* A site plan application shall be filed with the City Administrator or Planner on an official application form. The application shall be accompanied by a fee established by resolution by the City Council. The application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the Planner, fully describing the proposed site plan and improvements, together with a set of mailing labels of all property owners located within 350 feet of the site in a format prescribed by the City Planner. The application shall be considered as being officially submitted and complete when the applicant has complied with all the specified submittal requirements, as described in this section.

(D) *Staff analysis.* Upon receiving a complete application, as determined by staff review, the City Planner shall refer copies of the request to the city staff and other applicable public agencies as needed in order to receive written comments. The City Planner shall instruct the appropriate staff person to:

- (1) Coordinate an analysis of the application;
- (2) Prepare technical reports; and
- (3) Assist in preparing a recommendation to the Planning Commission and City Council.

(E) *Public hearing notice.* Upon completion of staff's analysis of the application, the City Administrator, when appropriate, shall set a public hearing date for an upcoming Planning Commission meeting. Notice of the hearing, including a description of the request and the legal description of the property, shall be published in the city's official newspaper at least 10 days prior to the hearing. Written notification of the hearing shall also be mailed to all property owners located within 350 feet of the site at least 10 days prior to the hearing. Failure of a property owner to receive mailed notice or defects in the notice shall not invalidate the proceedings.

(F) *Approval procedure and conditions.* Pursuant to Minnesota Statutes, an application for site plan approval shall be approved or denied within 60 days from the date of its official and complete submission unless extended pursuant to statute or a time waiver is granted by the applicant. Additional city requirements are as follows.

(G) *Planning Commission consideration.* The Planning Commission shall consider the request for a site plan and hold a public hearing. The applicant or representatives thereof may appear before the Planning Commission to present information and answer questions concerning the proposed

development. The Planning Commission shall make a finding of fact and make a recommendation on such actions or conditions relating to the request as they deem necessary to carry out the purpose of this chapter. The recommendations shall be in writing and accompanied by the report and recommendation of the city staff.

(H) *City Council consideration.* The City Council shall consider the site plan and recommendations of the Planning Commission and staff. The Council shall have the option of receiving additional testimony on the matter if they so choose. The Council shall either approve or deny the application; approval of a site shall require passage by a majority vote of the entire City Council. The Council may require plan revisions and may impose conditions upon approval, as deemed necessary to protect the health, safety, and general welfare of the city. If a site plan is denied by the City Council, the reasons for such action shall be recorded in the Council proceedings and transmitted to the applicant.

(I) *Evaluation criteria.* The Planning Commission and City Council shall evaluate the effects of the proposed site plan. This review shall be based upon, but not be limited to, compliance with the City Comprehensive Plan, provisions of this chapter (Design Guidelines and City Engineering Requirements).

(J) *Drawings; general requirements.*

(1) Drawings must include a title, and north point indication, the name and address of the applicant, name and address of the designer of the drawing and signature of the person who prepared the drawing, together with any registration number or other professional certification number or title. The application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the City Planner, fully explaining the purpose of the proposal, and including any proposed development and use.

(2) Drawings; existing and proposed conditions. The application form shall be accompanied by drawings and information indicating all of the following unless waived by the City Administrator or Planner:

(a) An accurate certified survey of the proposed development, current within 1 year, showing existing and proposed conditions and providing the current legal descriptions of all parcels within the proposed development;

(b) Floodplain and Shoreland District boundaries within the proposed development;

(c) Gross acreage and net acreage of the proposed development, computed to 1/10 of an acre and the land use and zoning district;

(d) Location, width, and name of all existing streets, public ways, parks, and other public lands (including permanent structures), railroads, utility rights-of-way, corporate lines, and easements within the proposed development and to a distance of 100 feet beyond the boundary lines of the development;

Maple Plain - Land Usage

- (e) Location and size of all existing buildings, as well as all sewers, watermain, culverts, and other underground facilities (public and private) within the proposed development, and to a distance of 100 feet beyond the boundary lines of the development. Data such as grades, rim, and invert elevations, locations of catch basins, manholes, and fire hydrants shall also be provided;
- (f) Water courses, wetlands, marshes, wooded areas, rock outcrops, power transmission poles and lines, and other significant features within the proposed development, and to a distance of 100 feet beyond the boundary lines of the development;
- (g) Boundary lines and ownership of all adjoining land within 100 feet;
- (h) Tree inventory indicating the location, size, and species of all trees having 6 or greater caliper inches in diameter and are located within the proposed development, and to a distance of 25 feet beyond the boundary lines of the development. The inventory shall also include a tabular listing of all such trees and the total number and caliper inches to be saved and removed;
- (i) Soil borings and percolation tests, as may be required by the Building Official or City Engineer;
- (j) Layout of all proposed streets, including those required in accordance with the City's Comprehensive Plan, showing right-of-way widths, pavement widths, center line gradients, typical cross sections, street drainage systems, and proposed street names;
- (k) Location and width of all proposed sidewalks, trails, pedestrian ways, and fire lanes;
- (l) Location, dimensions, and purpose of all easements;
- (m) Minimum building setback lines;
- (n) Grading, erosion control, and drainage plan for the proposed development showing all of the following:
 - 1. Existing and proposed topography in 2-foot contour intervals and extending 100 feet beyond the borders of the proposed plat;
 - 2. The location of all existing natural features on the tract including, but not limited to, tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, and the like;
 - 3. The location of all existing and proposed storm sewer facilities including pipes, manholes, catch basins, ponds, swales, and drainage channels within 100 feet of the proposed plat;
 - 4. The proposed storm water improvements such as pipe type and size, pipe grades, rim, and invert elevations, and normal high water elevations;

5. The flood elevations and locations if the plat is located within, or adjacent to, a 100-year flood plain;

6. The spot elevations at drainage break points and directional arrows indicating site and swale drainage, locations, grades, and rim invert elevations of all storm sewer facilities, including ponds proposed to serve the plat;

7. The locations and elevations of all street high and low points, as well as the location of all easements, including oversize or non-typical easements;

8. An erosion control plan including SWPPP if required; and

9. The wetland delineation and mitigation at a 2 to 1 ratio if proposed.

(o) Utility plan showing the location, dimensions, and purpose of all easements as well as the location, type, size, grades, rim, and invert elevations of existing and proposed sanitary sewer, storm sewer, water mains, culverts, catch basins, manholes, hydrants, and other similar facilities;

(p) Landscaping plan showing the tree inventory and new plantings, berms, fences, walls, sidewalks, trails, and any subdivision signage;

(q) Lighting plan showing all exterior lighting for the development, location of all exterior lighting by type and description, including, but not limited to, catalog cut sheets by manufacturers and drawings, photometric data, such as that furnished by manufacturers showing the angle of cutoff or light emissions. Photometric data need not be submitted when the shielding of a fixture is obvious to the City Planner;

(r) Elevation plan with an architectural scale showing the height in elevation of the building, material types, and colors and location of rooftop equipment and proposed screening;

(s) Provisions for storage and disposal of waste and recyclables in a 3-sided enclosed structure of like materials of the main structure; and

(t) Sign plan showing all wall, freestanding, directional, and other signs to be erected upon the property including the elevation, size, and materials to be used.

(K) *Lapse of approval.* Unless otherwise specified by the City Administrator or City Council as may be applicable, the site plan approval shall become null and void 1 year after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition, or alteration, or use requested as part of the approved plan. The property owner or applicant shall have the right to submit an application for time extension to be approved by the City Council.

(L) *Site improvement performance and guarantee.* Final development plans shall be accompanied by a financial guarantee for the improvements in a form acceptable to the city. The city shall review the final development plans and determine the value of the improvements and complete a development agreement.

(Prior Code, § 17.01) (Am. Ord. 215, passed 7-23-2007)

REQUIREMENTS

§ 153.060 INTENT.

The intent of this subchapter of the zoning code is to establish general development performance standards. The regulations provided herein shall apply to residential zoning districts except where special provisions provide otherwise.

(Prior Code, § 18.01) (Am. Ord. 176, passed 2-9-1999)

§ 153.061 ACCESSORY BUILDINGS.

(A) Private garages, garden houses, tool sheds, or similar detached buildings, shall be located wholly to the rear of the house or main building to which it is incidental, with at least 20 feet of separation between the main building and the accessory building or buildings. When so placed, the accessory building or buildings shall be no less than 5 feet distant from any lot boundary line other than “street line” and no less than 35 feet distant from a lot boundary line which is also a “street line.” Accessory buildings are further limited to not exceed on 1 story in height or 16 feet. The maximum height of a garage door on any accessory building is 8 feet. Special circumstance may warrant higher door openings, which may be submitted for special review.

(B) Garage or other accessory structures which are attached to the house or main structure shall be governed by clearance requirements of this code which pertain to the main structure.

(C) No dwelling or accessory building shall be erected on any tract of unplatted land closer than 15 feet to the side lot line or closer than 5 feet to the rear lot line of the tract on which the building is to be located.

(D) All garages shall, if the vehicle entrance backs upon a public alley, be set back at least 20 feet from the public alley right-of-way.

(E) In no case shall the door of any structure, building, or improvement, except a fence, be erected or constructed so as to extend beyond any lot line. Eaves cannot extend beyond 2 feet into the required setbacks.

Policy 4: A minimum ½-inch of water quality volume shall be provided for all new impervious surfaces. Where site conditions do not allow infiltration, a minimum 1-inch of water quality volume shall be provided for new impervious surfaces.

Policy 5: For all development and redevelopment projects, the project proposer shall endeavor to retrofit ½-inch water quality volume to existing impervious surfaces. This retrofit water quality volume can be the infiltration volume described above. If these higher targets cannot be obtained, specific reasons must be presented as part of the development application.

Goal: Facilitate WMO review of development projects to manage nutrient and sediment loading.

Policy 6: The City will coordinate development review activities with the watershed organizations. Each water organization will continue permitting within their separate jurisdictions.

Goal: Collaborate with Minnehaha Creek Watershed District (MCWD) to reduce phosphorus loading to Jennings' Bay of Lake Minnetonka by accomplishing the Phosphorus Load Reduction required by MCWD, and encourage similar treatment expectations throughout the City.

Policy 7: The City will report annually to the Minnehaha Creek Watershed District on progress made at achieving the phosphorus load reduction and plans of future activities that will further meet the load reduction. This reporting will be conducted through the MCWD Painters Creek Subwatershed Phosphorus Reduction Plan.

6.2.5 EROSION AND SEDIMENT CONTROL

Goal: Prevent sediment from construction sites from entering the City of Maple Plain's or adjacent jurisdictions' surface water resources.

Policy 1: The City will develop and enforce a Construction Site Stormwater Runoff Control Ordinance as outlined in its NPDES permit. This ordinance will outline permit requirements for land alteration activities within Maple Plain and will be written to be consistent with the NPDES construction permit, the City's MS4 permit, Metropolitan Council's guidance, and the policies of the watershed organizations with jurisdiction over the City.

Policy 2: The City will periodically review and revise its Construction Site Stormwater Runoff Control Ordinance to maintain conformance with the NPDES construction permit, the City's MS4 permit, guidance from Metropolitan Council and the requirements of the watershed management organizations.

Policy 3: The City will inspect storm water retention and treatment basins and outlets every year to determine if the basin's retention and treatment characteristics are adequate to meet its design function. Based on this inspection, retention basins that are identified for maintenance will be prioritized on a cost benefit basis and basin maintenance will be performed as funds become available. The City will modify its SWPPP to include this annual inspection.

Policy 4: Portions of the City's storm sewer system will be periodically inspected. During these inspections, debris present at trash grates and catch basins grates will be removed so as to provide reasonable assurances that the system will operate in an unobstructed manner during rainfall events. The City will modify its SWPPP to include storm sewer inspection.

Policy 5: The City will sweep the paved, curb-and-gutter streets at least once annually as stipulated in its current SWPPP.

Policy 6: Storm sewer outfalls will be inspected annually. Inspection shall include evidence of scouring or the presence of significant deposition of silt at the storm sewer outfall. Scouring problem areas will be noted and stabilized. In areas where silt deposition is evident which is indicative of significant erosion upstream, an inspection will be made of the upstream watershed to identify the source of erosion.

Policy 7: On an annual basis and as required under its NPDES permit, the City will prepare an inspection report that indicates the areas inspected and the maintenance activities completed on the storm water system. This inspection report will be available at the City Offices.

6.3 WATER RESOURCE MANAGEMENT

Overall Goal: Protect the City's wetlands, streams, and groundwater to preserve the functions and values of these resources for current and future generations.

6.3.1 WETLAND MANAGEMENT

Goal: Protect and preserve wetlands to maintain or improve their function and value.

Policy 1: The City will utilize Pioneer-Sarah Creek Watershed Management Commission (Hennepin County Environmental Services staff) and Minnehaha Creek Watershed District to administer Minnesota's Wetland Conservation Act within the City.

Policy 2: The City will apply the applicable WMO policies and performance standards for wetlands within each watershed.

Policy 3: The City will adopt a new Wetland Protection Ordinance either as a separate ordinance or by modifying its subdivision ordinance. Until such time as this ordinance is in place, a minimum 20-foot buffer (larger if so required by the watersheds) should be established around wetlands when part of a development or redevelopment plat.

Policy 4: The City will support Pioneer-Sarah Creek Watershed Management Commission in completing a Wetland Inventory and Assessment of wetlands not already studied in the Minnehaha Creek Watershed District Functional Assessment of Wetlands study and will adopt a wetland management plan once this assessment is complete.

Policy 5: The City will require that, prior to development activities or public projects a wetland delineation must be completed, including a field delineation and report detailing the findings of the delineation.



City of Maple Plain
1620 Maple Avenue
P.O. Box 97
Maple Plain, MN 55359
Office: (763) 479-0515
Fax: (763) 479-0519

EXCAVATION & GRADING PERMIT

APPLICANT INFORMATION

Applicant Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email
Are you the owner of the property? <input type="checkbox"/> Yes. <input type="checkbox"/> No. (If not, property owner information is required.)	

Owner Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email

24-Hour Contact	
Name	Cell Phone

PROJECT INFORMATION

Site Address or Property Identification Number (Street, property address or legal description. Include distance and direction from nearest street intersection.)

Project Description (Check all that apply.)				
Wetland or water course impacts	Public Right of Way impacts	Type of material	Disturbance Amount	Total Area
<input type="checkbox"/> Yes. <input type="checkbox"/> No. If yes, applicant must contact appropriate watershed districts. Minnehaha Creek: (612) 471-0590. Pioneer Sarah Creek: (612) 348-7338.	<input type="checkbox"/> Yes. <input type="checkbox"/> No. If yes, right of way permit is required from City, County or MnDOT.	<input type="checkbox"/> Removed <input type="checkbox"/> Deposited <input type="checkbox"/> Disturbed (Grading only)	<input type="checkbox"/> Removed <input type="checkbox"/> Deposited <input type="checkbox"/> Disturbed (Grading only)	<input type="checkbox"/> Dimensions <input type="checkbox"/> Cubic Yard More than one acre requires a permit from the MN Pollution Control Agency.

Expected start date	Expected completion date
---------------------	--------------------------

Traffic Impacts	
Will work obstruct City street(s) ? <input type="checkbox"/> Yes. <input type="checkbox"/> No.	
Will work require detour of traffic? <input type="checkbox"/> Yes. <input type="checkbox"/> No.	
Streets to be affected:	
Proposed hauling route(s):	
Contact West Hennepin Public Safety for approval route(s) if detour required – (763) 479-0500.	

FEES

Excavation & Grading Permit Fees (0 to 999 cu. Yds.)	Excavation & Grading Permit Fees (1,000+ cu. Yds.)
<input type="checkbox"/> \$125 <50 cubic yards	<input type="checkbox"/> \$1,000 >1,000 cubic yards
<input type="checkbox"/> \$200 51-100 cubic yards	<input type="checkbox"/> City Council Approval Date: _____
<input type="checkbox"/> \$350 101-999 cubic yards	<input type="checkbox"/> Letter of Credit Amount: _____

MAPS, PLANS & DOCUMENTATION

Required documentation

- | | |
|---|---|
| <input checked="" type="checkbox"/> City-wide map identifying area. | <input checked="" type="checkbox"/> Impacted areas. |
| <input checked="" type="checkbox"/> Map of area depicting specific/detailed location. | <input checked="" type="checkbox"/> Erosion control. |
| | <input checked="" type="checkbox"/> Stock pile locations. |
| | <input checked="" type="checkbox"/> Other information as requested by the City. |

AGREEMENT

The work done under this permit shall be in strict conformity with the ordinances and standards of the City of Maple Plain, City Engineer, Watershed Districts and State of Minnesota. The applicant shall hold harmless and defend the City of Maple Plain for any claim of loss or damage made against the City, its employees or representatives arising out of the activities of the applicant.

The applicant shall be responsible for demonstrating the project meets City, State and Watershed requirements for excavation and grading. Said burden shall include the furnishing of necessary reports, site plans and other supporting calculations to the City. The City may require said documents be provided by a registered professional engineer or land surveyor.

By signing this agreement the applicant agrees to pay all applicable fees, provide any required documentation and insurance, and abide by all other the terms and conditions contained herein.

Applicant Signature

Date

Owner Signature

Date

AUTHORIZATION

Upon payment of, or agreement to pay, the permit fee and in consideration of the agreement to comply with all City Ordinances, Watershed District standards and State Statutes pertaining to said project, permission is hereby granted for the work to be done as described above. The applicant shall notify the City of any changes to the project, and pay any applicable fees as a result. If applicable, have the following approvals been obtained:

- | | |
|---|-------------|
| <input type="checkbox"/> Minnehaha Creek Watershed District | Date: _____ |
| <input type="checkbox"/> Pioneer Sarah Creek Watershed District | Date: _____ |
| <input type="checkbox"/> MN Pollution Control Agency | Date: _____ |

If not, expected approval date: _____

Financial Guarantee amount: \$ _____

In consideration of agreement to comply in all respects with the regulations of the City of Maple Plain, permission is hereby granted for the work to be done as prescribed in the application and submitted drawings.

Approved By

Signature

Date

Final inspection by Public Works Department

Inspected By

Signature

Date

OFFICE USE ONLY

Fees Collected

- | | |
|--|---------------------|
| <input type="checkbox"/> \$125 | <50 cubic yards |
| <input type="checkbox"/> \$200 | 51-100 cubic yards |
| <input type="checkbox"/> \$350 | 101-999 cubic yards |
| <input type="checkbox"/> \$1,000 | >1,000 cubic yards |
| <input type="checkbox"/> City Council Approval | |
| <input type="checkbox"/> Letter of Credit | |

Received By

- | |
|---|
| <input type="checkbox"/> Name: _____ |
| <input type="checkbox"/> Signature: _____ |
| <input type="checkbox"/> Date: _____ |
| <input type="checkbox"/> Receipt: _____ |



City of Maple Plain
1620 Maple Avenue
P.O. Box 97
Maple Plain, MN 55359
Office: (763) 479-0515
Fax: (763) 479-0519

RIGHT OF WAY PERMIT

APPLICANT INFORMATION

Applicant Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email
Are you the owner of the property? <input type="checkbox"/> Yes. <input type="checkbox"/> No. <i>(If not, property owner information is required.)</i>	

Owner Name	Company, if applicable
Address	Phone Number
City, State, Zip	Email

24-Hour Contact	
Name	Cell Phone

PROJECT INFORMATION

Site Address or Property Identification Number
(Street, property address or legal description. Include distance and direction from nearest street intersection.)

Project Description *(Check all that apply.)*

Type of Work	Type of Utility	Disturbed Area(s)	Type of Surface(s)	Type of Installation
<input type="checkbox"/> New	<input type="checkbox"/> Electric	<input type="checkbox"/> Street Surface	<input type="checkbox"/> Grass/Soil	<input type="checkbox"/> Cable
<input type="checkbox"/> Fix/Replace	<input type="checkbox"/> Natural Gas	<input type="checkbox"/> Pond/Wetland	<input type="checkbox"/> Gravel	<input type="checkbox"/> Pipe
<input type="checkbox"/> Extension	<input type="checkbox"/> Cable	<input type="checkbox"/> Landscaping	<input type="checkbox"/> Concrete	<input type="checkbox"/> Other (list)
<input type="checkbox"/> Other (list)	<input type="checkbox"/> Telephone	<input type="checkbox"/> Trees	<input type="checkbox"/> Asphalt	_____
_____	<input type="checkbox"/> Other (list)	<input type="checkbox"/> Curb & Gutter	<input type="checkbox"/> Other (list)	_____
_____	_____	<input type="checkbox"/> Boulevard	_____	_____
_____	_____	<input type="checkbox"/> Trail/Sidewalk	_____	_____
_____	_____	<input type="checkbox"/> Structures	_____	_____
		<input type="checkbox"/> Private Utilities		
		<input type="checkbox"/> Public Utilities		

Method of Installation, Construction & Excavation	Excavation Dimensions
	<input type="checkbox"/> Depth _____ <input type="checkbox"/> Hole size _____ <input type="checkbox"/> Length _____

Expected start date	Expected completion date
---------------------	--------------------------

Traffic Impacts

Will work obstruct City street(s) and/or require detour of traffic? ☐ Yes. ☐ No.

Streets to be affected:

Proposed detour route(s):

Contact West Hennepin Public Safety for approval of detour route(s) – (763) 479-0500.

MAPS, PLANS & DOCUMENTATION

Required documentation

- | | |
|---|---|
| <input checked="" type="checkbox"/> City-wide map identifying area. | <input checked="" type="checkbox"/> Impacted areas. |
| <input checked="" type="checkbox"/> Map of area depicting specific/detailed location. | <input checked="" type="checkbox"/> Erosion control. |
| | <input checked="" type="checkbox"/> Stock pile locations. |
| | <input checked="" type="checkbox"/> Other information as requested by the City. |

AGREEMENT

The work done under this permit shall be in strict conformity with the ordinances of the City of Maple Plain, and to the standards adopted by the City Engineer and State of Minnesota. The applicant shall hold harmless and defend the City of Maple Plain for any claim of loss or damage made against the City, its employees or representatives arising out of the activities of the applicant.

By signing this agreement the applicant agrees to pay all applicable fees, provide any required insurance, and abide by all other the terms and conditions contained herein.

It is expressly understood that this permit is conditioned upon replacement or restoration of all rights of ways, road surfaces or other disturbed public or private property to the original or better condition prior to work described above.

Applicant Signature

Date

Owner Signature

Date

AUTHORIZATION

Upon payment of, or agreement to pay, the permit fee and in consideration of the agreement to comply with all City Ordinances, Watershed District standards and State Statutes pertaining to said project, permission is hereby granted for the work to be done as described above. The applicant shall notify the City of any changes to the project. Additionally, said work is to be done in accordance with special precautions or conditions as hereby stated:

Approved By

Signature

Date

Final inspection by Public Works Department

Inspected By

Signature

Date

OFFICE USE ONLY

Fees Collected

- | | |
|---|--|
| <input type="checkbox"/> Right of Way Permit Fee
\$250 | <i>Completed permit and applicable fees
required for each project.</i> |
| <input type="checkbox"/> Right of Way Annual Escrow (Utility Companies)
\$1,000 | |

Received By

- | |
|---|
| <input type="checkbox"/> Name: _____ |
| <input type="checkbox"/> Signature: _____ |
| <input type="checkbox"/> Date: _____ |
| <input type="checkbox"/> Receipt: _____ |

§ 50.05 BILLING.

The storm water utility fee shall be billed quarterly to each parcel in accordance with the most current approved resolution. All rates and charges will be reviewed annually and adjusted as needed by the City Council.

(Ord. 203, passed 8-26-2005)

§ 50.06 EXCEPTIONS.

The following land uses are exempt from storm water drainage fees:

(A) Public rights-of-way;

(B) Public parks or open space; and

(C) School- or city-owned property.

(Ord. 203, passed 8-26-2005)

§ 50.07 CERTIFICATION OF DELINQUENT FEES.

A 10% penalty fee will be added each quarter on the unpaid amounts and certified annually. The amount not paid will be assessed and the City Administrator/Clerk will certify to Hennepin County the amounts past due with penalties together with the property identification and/or legal description of the premises served. Hennepin County shall thereafter enter the amounts as part of the tax levy on the premises to be collected during the following year.

(Ord. 203, passed 8-26-2005)

§ 50.08 EFFECTIVE DATE.

This subchapter shall have full force and effect upon its passage and publication.

(Ord. 203, passed 8-26-2005)

ILLICIT DISCHARGES AND CONNECTIONS

§ 50.20 PURPOSE AND INTENT.

(A) The purpose of this subchapter is to provide for the health, safety, and general welfare of the citizens of the City of Maple Plain, Minnesota, through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law.

This

subchapter establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

(B) The objectives of this subchapter are:

(1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by stormwater discharges by any user;

(2) To prohibit illicit connections and discharges to the municipal separate storm sewer system; and

(3) To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this subchapter.
(Ord. 199, passed 2-28-2005)

§ 50.21 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AUTHORIZED ENFORCEMENT AGENCY. Employees or designees of the director of the municipal agency designated to enforce this subchapter.

BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm water, receiving waters, or storm water conveyance systems. **BMPs** also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT. The Federal Water Pollution Control Act (33 U.S.C. §§ 1251 *et seq.*), as it may be amended from time to time.

CONSTRUCTION ACTIVITY. Activities subject to NPDES construction permits. These include construction projects resulting in land disturbance of 5 acres or more. The activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

HAZARDOUS MATERIALS. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLEGAL DISCHARGE. Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in § 50.28.

ILLICIT CONNECTIONS. Either of the following:

(1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether the drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or

(2) Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

INDUSTRIAL ACTIVITY. Activities subject to NPDES industrial permits as defined in 40 C.F.R. pt. 122.26(b)(14), as it may be amended from time to time.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT. A permit issued by the EPA (or by a state under authority delegated pursuant to 33 U.S.C. § 1342(b), as it may be amended from time to time) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual group, or general area-wide basis.

NON-STORM WATER DISCHARGE. Any discharge to the storm drain system that is not composed entirely of storm water.

PERSON. Any individual, association, organization, partnership, firm, corporation, or other entity recognized by law and action as either the owner or as the owner's agent.

POLLUTANT. Anything which causes or contributes to pollution. **POLLUTANTS** may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

STORM DRAIN SYSTEM. Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

STORM WATER. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from the precipitation.

STORM WATER POLLUTION PREVENTION PLAN. A document which describes the best management practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems, and/or receiving waters to the maximum extent practicable.

WASTEWATER. Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

(Ord. 199, passed 2-28-2005)

§ 50.22 APPLICABILITY.

This subchapter shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.
(Ord. 199, passed 2-28-2005)

§ 50.23 RESPONSIBILITY FOR ADMINISTRATION.

The Maple Plain City Council shall administer, implement, and enforce the provisions of this subchapter. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated in writing by the director of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

(Ord. 199, passed 2-28-2005)

§ 50.24 ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated pursuant to this subchapter and minimum standards; therefore this subchapter does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

(Ord. 199, passed 2-28-2005)

§ 50.25 DISCHARGE PROHIBITIONS.

(A) Prohibition of illegal discharges.

(1) No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

(2) The commencement, conduct, or continuance of any illegal discharge to the storm drain system is prohibited except as described as follows:

(a) The following discharges are exempt from discharge prohibitions established by this subchapter: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, noncommercial washing of vehicles, natural riparian habitat or wet-land flows, swimming pools (if dechlorinated – typically less than 1 PPM chlorine), firefighting activities, and any other water source not containing pollutants;

(b) Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety;

(c) Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test; and

(d) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

(B) *Prohibition of illicit connections.*

(1) The construction, use, maintenance, or continued existence of illicit connections to the storm drain system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connection.

(3) A person is considered to be in violation of this subchapter if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.
(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.26 SUSPENSION OF MS4 ACCESS.

(A) *Suspension due to illicit discharges in emergency situations.* The Maple Plain City Council may, without prior notice, suspend MS4 discharge access to a person when the suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized

enforcement agency may take the steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the United States, or to minimize danger to persons.

(B) *Suspension due to the detection of illicit discharge.* Any person discharging to the MS4 in violation of this subchapter may have their MS4 access terminated if the termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing. A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this section, without the prior approval of the authorized enforcement agency.

(Ord. 199, passed 2-28-2005)

§ 50.27 INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of the permit. Proof of compliance with the permit may be required in a form acceptable to the Maple Plain City Council prior to the allowing of discharges to the MS4.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.28 MONITORING OF DISCHARGES.

(A) *Applicability.* This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

(B) *Access to facilities.*

(1) The Maple Plain City Council shall be permitted to enter and inspect facilities subject to regulation under this subchapter as often as may be necessary to determine compliance with this subchapter. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.

(2) Facility operators shall allow the Maple Plain City Council ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.

(3) The Maple Plain City Council shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.

(4) The Maple Plain City Council has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all

times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.

(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the Maple Plain City Council and shall not be replaced. The costs of clearing the access shall be borne by the operator.

(6) Unreasonable delays in allowing the Maple Plain City Council access to a permitted facility is a violation of a storm water discharge permit and of this subchapter. A person who is the operator of the facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this subchapter.

(7) If the Maple Plain City Council has been refused access to any part of the premises from which storm water is discharged, and the city is able to demonstrate probable cause to believe that there may be a violation of this subchapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this subchapter or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

(Ord. 199, passed 2-28-2005)

§ 50.29 REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The Maple Plain City Council will adopt requirements identifying best management practices of any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at his or her own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at the person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed compliance with the provisions of this section. These BMPs shall be part of a storm water pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.30 WATERCOURSE PROTECTION.

Every person owning property through which a watercourse passes, or the person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that the structures will not become a hazard to the use, function, or physical integrity of the watercourse.
(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.31 NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. the person shall take all necessary steps to ensure the discovery, containment, and cleanup of the release. In the event of such a release of hazardous materials the person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, the person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Maple Plain City Council within 3 business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of the establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. The records shall be retained for at least 3 years.
(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.32 ENFORCEMENT.

(A) Whenever the Maple Plain City Council finds that a person has violated a prohibition or failed to meet a requirement of this subchapter, the authorized enforcement agency may order compliance by written notice of violation to the responsible person. The notice may require without limitation:

- (1) The performance of monitoring, analysis, and reporting;
- (2) The elimination of illicit connections or discharges;
- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of a fine to cover administrative and remediation costs; and

(6) The implementation of source control or treatment BMPs.

(B) If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which the remediation or restoration must be completed. The notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

(Ord. 199, passed 2-28-2005)

§ 50.33 APPEAL OF NOTICE OF VIOLATION.

Any person receiving a notice of violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within 15 days from the date of the notice of violation. Hearing on the appeal before the appropriate authority or his or her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

(Ord. 199, passed 2-28-2005)

§ 50.34 ENFORCEMENT MEASURES AFTER APPEAL.

If the violation had not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within 15 days of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent, or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.35 COST OF ABATEMENT OF THE VIOLATION.

Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within 15 days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. Any person violating any of the provisions of this subchapter shall become liable to the city by reason of the violation. The interest at the rate of 6% per annum shall be assessed on the balance beginning on the thirtieth day following discovery of the violation.

(Ord. 199, passed 2-28-2005)

§ 50.36 INJUNCTIVE RELIEF.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this subchapter. If a person has violated and continues to violate the provisions of this subchapter, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.37 COMPENSATORY ACTION.

In lieu of enforcement proceedings, penalties, and remedies authorized by this subchapter, the authorized enforcement agency may impose upon a violator alternative compensatory actions, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, and the like.

(Ord. 199, passed 2-28-2005)

§ 50.38 VIOLATIONS DEEMED A PUBLIC NUISANCE.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this subchapter is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of the nuisance may be taken.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.39 CRIMINAL PROSECUTION.

Any person that has violated or continues to violate this subchapter shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of \$1,000 per violation per day and/or imprisonment for a period of time not to exceed 90 days. The authorized enforcement agency may recover all attorney's fees, court costs, and other expenses associated with enforcement of this subchapter, including sampling and monitoring expenses.

(Ord. 199, passed 2-28-2005) Penalty, see § 50.999

§ 50.40 REMEDIES NOT EXCLUSIVE.

The remedies listed in this subchapter are not exclusive of any other remedies available under any applicable federal, state, or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

(Ord. 199, passed 2-28-2005)

6.4.1 FLOODPLAIN MANAGEMENT

Goal: Control development in flood prone areas to protect the public safety and minimize property damage.

Policy 1: The City will regulate land development within floodplain areas to ensure that floodplain capacity and flood elevations are not adversely impacted by development, and that new structures are protected from damage.

Policy 2: The City will create and adopt a Floodplain Management Ordinance that is in conformance with WMO standards and policies.

6.4.2 NATURAL AREA MANAGEMENT

Goal: Protect and enhance natural areas within the City to provide conservation of City's natural setting, habitat connection, and water resource benefits.

Policy 1: The City will review land use and development decisions with the intent to preserve natural resources, connect environmental corridors, and provide buffers for streams and wetlands. Existing MLCCS coverage and other data sources will guide decisions regarding natural area preservation.

Policy 2: The City will support programs to maintain and restore the resource value of natural areas.

6.5 CITYWIDE PROGRAM ELEMENTS

Overall Goal: Manage water resources and the stormwater system with a citywide perspective for cost-efficiency and stakeholder inclusion.

Policy 1: The citywide surface water management program will include monitoring and maintenance of the stormwater system, targeted pollution prevention, public education, system reconstruction projects, and equitable collection of supporting funds.

Policy 2: The City will actively implement the NPDES Stormwater Pollution Prevention Program as stated in the MS4 permit.

6.5.1 POLLUTION PREVENTION

Goal: Detect and address urban pollutants illicitly discharged to storm sewers.

Policy 1: The City will address pollutant sources through enforcement of codes and public education.

Policy 2: The City will develop and maintain an effective spill response plan.

Policy 3: The City will complete employee training in the operation, maintenance and inspection of stormwater facilities, as included in the SWPPP.